RECORDS IN THE BRITISH PUBLIC RECORDS OFFICE RELATING TO SOUTH CAROLINA

VOL. 21

1743 - 1744

MICROFILMED ·
BY
· WM. L. MCDOWELL

Vol 21 — 1

1743

B P R O Journals B T Vol 51

Whitehall 11th February 1743

At a Meeting of His Majesty's Commissioners for Trade & Plantations

Present

Lord Monson

Col Bladen Mr Brudenell Mr Plumer

. . . .

Read a Letter from Col. Bull Lieut Govr of South Carolina transmitting Copies of six Letters viz. two from Mr Trelawney Governor of Jamaica & two from Genl Wentworth as likewise two Letters from Admiral Vernon, all dated at Jamaica in August and September 1742, to Col. Bull, Lieut Govr of South Carolina, relating to the late Invasion of Georgia by the Spaniards. — Read at the same time the Duplicate of another Letter from Col. Bull without date, referring to the Minutes of Council of that Province from the 18th of June to the 14th of August 1742 (therewith transmitted) for an Account of the measures concerted and carry'd into Execution by the Govr of South Carolina for the Relief of Georgia transmitting likewise the Duplicates of a Representation to his Majesty concerning the defenceless Condition of Port Royal & the parts adjacent and praying the Board to lay the same before his Majesty

Order'd that Copy of the said Represent.n be prepared & sent

& sent inclosed in a Letter to the Duke of Newcastle, in order to be laid before his Majesty

Order'd likewise that the Secretary prepare a Draught of an answer to Col. Bull's said Letters.

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14th February 1743

The Draught of a Letter to His Grace the Duke of Newcastle, for enclosing the Representation of the Lieut Govr & Council of South Carolina (mentioned in the Minutes of the 11th inst) to be laid before his Majesty, having been prepared, was laid before the Board, agreed to transcribed & sign'd

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18th February 1743

The Draught of a Letter to Col. Bull, Lieut Govr of South Carolina, in answer to two lately reced from him, having been prepared, as ordered by the Minutes of the 11th inst was laid before the Board, agreed to, transcribed & sign'd.

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21st April 1743

The Secretary laid before the Board the seven following Copies of Orders in Council transmitted from the Council Office the 17th of the last Month, and the

Titles

Titles of the same were read vizt

Copy of an Order in Council dated the 16th of Decem^r 1742 directing the Master of the Ordnance to send 10 Iron Ordnance with Shot to South Carolina.

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31st May 1743

Mr Hill, one of His Majesty's Council in South Carolina attending, presented to the Board a Letter from Col^o Bull, President of the Council and Lieut Govr there, recommending him as a Person well acquainted with the Affairs of South Carolina, and able to give their Lordships a particular Information concerning the same, and the Board appointed Wednesday the 8th of next Month to have some discourse with him on the State of the said Province; in the same Letter Col^o Bull mentions their apprehensions of an Invasion this Spring & transmits a Copy of a Letter from Mr Francis Moore to him upon that Subject, written by Order of General Oglethorpe.

Order'd that the Draught of a Letter to his Grace the Duke of Newcastle be prepared for transmitting an Extract of the said Letter from Mr Bull, as likewise a Copy of that from Mr Moore for his Grace's Information, and the same was accordingly prepared agreed to, transcribed & Sign'd.

7th

7th June 1743

Read two Letters from Col. Bull, Lieut. Governor of South Carolina to the Board, one dated March 4th 1742/3 inclosing several Copys of Papers and Informations which he had received concerning the designs of the French & Spaniards against that Province and desiring His Majesty's further Protection – The other dated the 16th of the same Month, transmitting the following Papers vizt.

Letter to Col. Bull, Lieut. Govr. of South Carolina, from Mr. Horton, by order of Genl. Oglethorpe, dated at Frederica the 21st of Jany. 1742/3, with the Copy of One from Mr. Clarke Lieut. Govr. of New York to Genl. Oglethorpe, dated 13th Decr. 1742, with an Acct. that some of the French and Indians are march'd to the Southward, and that the French & Spaniards are preparing to attack those Colonies.

Letter to Col. Bull Lieut. Govr. of South Carolina from Mr. Tinker Governor of the Bahama Islands, dated at New Providence the 14th of Febry. 1742/3 relating to some designs of the Spaniards against that Place.

Deposition of Capt. Edward Morris, taken before Lieut. Govr. Bull & the Council of South Carolina the

the 16th of Feby 1742/3.

Deposition of Capt Alexander Parris, taken before Lieut Govr Bull & the Council of South Carolina, the 16th of Feby 1742/3.

Deposition of Capt Edmond Gale, taken before Lieut Govr Bull & the Council of South Carolina the 16th of Feby 1742/3.

Deposition of Capt Charles Dyer taken before Lieut Govr Bull, & the Council of South Carolina the 23d of Feby 1742/3 as also of John Raven Bedon taken before them the 1st March 1742/3.

Deposition of Mr Charles Hicks Mercht taken before Lieut Govr Bull & the Council of South Carolina the 17th of Feby & 4th of March 1742/3.

Extract of Affairs relating to William Sterling Esqr Military Officer in the Service of the Government of South Carolina, of his being detain'd & Imprisoned by General Oglethorpe in Georgia between the 8th of August 1742 and the 12th Feby 1742/3.

Extract of the Minutes of Council relating to Capt Charles Hardy, Commander of His Majesty's Ship Rye, from the 15th day of March 1741/2 to the 7th day of Feby 1742.

Ordered that a Copy of the first of these Letters.

Letters, as likewise Extracts of the several Papers therein contained, as far as relates to the aforesaid designs, be prepared, as also the Draught of a Letter for transmitting the same to His Grace the Duke of Newcastle.

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8th June 1743

Mr Hill attending, as appointed by the Minutes of the 31st of last Month, the Board had some discourse with him on the State of the Province.

The Draught of a letter to His Grace the Duke of Newcastle, for transmitting a Copy of Lieut Govr Bull's Letter, as likewise Extracts of the several Papers contain'd therein, order'd by Yesterdays Minutes, having been laid before the Board, was agreed to, transcribed & sign'd

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21st June 1743

Read a Letter from Mr Mc Culloh His Majesty's Commissr of the Quit Rents in Carolina to the Board, dated at Cape Fear Augt 19th 1742 inclosing a Copy of the Publick Notice (dated at Wilmington March 20th 1741/2) addressed to all Gentlemen, Freeholders and others whom it may concern, relating to his Majestys Instructions to the said Commissioner

Read

Read another Letter to the Board from Mr McCulloh dated at Charles Town in South Carolina March 19th 1742/3 transmitting several Papers relating to the Execution of his Commission Vizt

Representation of the Inhabitants of Williamsburgh complaining of his Majesty's 43d Instruction being broke thro' by the Govr & Council.

The Humble Petition of the Inhabitants of Williamsburgh to the Lieut Govr in Council complaining of His Majesty's 43d Instruction being broke thro' by the Govr & Council.

State of the Papers Bills of Currency in South Carolina with

Representation of Geo: Saxby Esqr setting forth the Difficulties he is under in relation to the Collection of the Quit Rents

Representation humbly presented to the Govr in Council of South Carolina setting forth the several restraints that the Commissioner of the Quit Rents is laid under in the Execution of his Office dated the 16th Febry 1742/3.

Representation to the Governor & Council of Mr McCulloh desiring a Law may be passed for the better discovery of the Quit Rents.

Read

Read also at the same time his Letter to the Secretary, of the same date, with the former, complaining of Insults from Officers of the Crown, & mentioning his Resolution of bringing the whole of their proceedings before his Majesty.

Read a 3d Letter from Mr McCulloh to the Board dated at Charles Town in South Carolina March 25th 1743 transmitting for the Boards consideration several Papers relating to the Hardships & Obstructions he meets with in the Execution of his Commission in that Province viz t

Representation of Benjamin Whitaker Esqr His Majestys Chief Justice in South Carolina, setting forth what Provincial Acts principally restrain the Jurisdiction of the Courts of Law dated the Feby 1742/3.

29th June 1743

Read 2 Letters from Colo Bull Lieut Governor of South Carolina, dated May 6th 1743, acquainting the Board that he has in pursuance of His Majesty's Instruction appointed Alexander Cramahe Esqr to be Deputy Surveyor & Auditor of His Majestys Revenues in South Carolina, in the room of James St John Esqr deceased. as also that he has appointed George Hunter, Esqr to execute

execute the Offices of Surveyor General of the Land & Inspector & Controller of his Majesty's Quit Rents in the said Province, vacant also by the Death of the said James St John, & recommending those Gentlemen to the favour of this Board.

. . . .

13th July 1743

The Draught of a Letter to Col. Bull Lieut Governor of Caroline in answer to those received from him was laid before the Board, agreed to, & likewise ordered to be transcribed.

. . . .

14th July 1743

The Draught of a Letter to Col Bull Lieut Governor of South Carolina ordered by yesterday's Minutes to be transcribed was laid before the Board & signed.

. . . .

21st July 1743

Read a Letter from Mr Martyn, Secretary to the Georgia Trustees, dated the 19th instant in answer to one from the Secretary of this Board, inclosing some Papers received from Col. Bull Lieut Govr of South Carolina relating to Mr Wm Sterling Military Officer in the Service of that Province being detain'd & imprisoned by

by Genl Oglethorpe in Georgia.

22nd July 1743

The Draught of a Letter to Mr Mc Cullok Commissioner of his Majesty's Quit Rent in North & South Carolina from the Secretary of this Board, in answer to those the Board has received from him was laid before the Board & Ordered to be transcribed & sent.

B. P. R. O. A & W. I. Vol 19 p 173

(10th January 1742/3)

Sir

No wonder that after five months attendance we who are soliciting the cause of a Province of so great consequence to Great Britain should now complain that we are as uncertain what will be the issue as we were the first moment of our Arrival

It is true that the danger was not then so near, however, that their apprehensions were well grounded is confirmed by the late actual invasion of Georgia and intended discent at Port Royall where they would in all probability have succeeded better than at Frederica, where are very discipland us'd to Arms & Command and no Enemy to suspect amongst themselves.

By this Event, the Province of South Carolina has discovered its weakness to withstand such an Enemy, should they return during this War, against which there is no reasonable conjecture since they retir'd with very little loss, and have America more clear to them now, than it was then.

The Scituation of that Province as it is fully represented to his Majesty in the last Petition for Protection, is really of such, a nature as requires the most

most early attention of the Ministry. Delay in such circumstances, may occasion at once the loss of the most valuable Port and Harbour on that part of the Coast of America (Port Royal) And also the richest settlements in that Province, & what further progress an Enemy might make in a Province so over aw'd with a vast superiority of Slaves God only knows; in such a Scituation then as that Province now is in, it would neither be prudent nor safe for a Ministry to postpone laying their Case before his Majesty to whom it is addressed, let the event be what it will, it is our duty & we have a right to ask in behalf of the Province that this may be done without loss of time, we therefore intreat you Sir to use your interest with his Grace that it may be done and that we may know his Majesty's Pleasure thereupon.

It is recommended to us by the Govert. of that Province, to use our Endeavours, that the papers attending the last Petition may be considered by those to whom they are directed, that it may appear, how cheerfully that Province enter'd into measures to assist his Majesty's Troops and their Neighbours in Georgia, & also to Support that part of the Petition in relation to the conduct of the Comr. of his Majesty's Ships of War upon that Station

Station; and to Satisfy his Majesty with the necessity there was for passing such a Law, whereby paper money Bills were issued to defray the expence of the Armament sent to the relief of his Majesty's Troops and the Province of Georgia.

We are

Sir

Your most Obedt. Servants

Jas Abercromby

Alex. van Dussen

Janry 10th 1742/3

(To Mr. Stone)

B. P. R. O. South Carolina B. T. Vol. 27 p. 69.

(14th February 1742/3)

To His Grace the Duke of Newcastle

My Lord

Having lately received from Mr Bull Lieut Govr of South Carolina, a Letter transmitting a Representation of the Lieut Governor and Council to His Majesty of the defenceless state of Port Royal, and the Parts adjacent; We take Leave to inclose to Your Grace a Copy of the said Representation and to desire Your Grace will be pleased to lay the same before His Majesty We are

My Lords

Your Grace's

most obedient and

most humble Servants

Whitehall }
February 14th 1742/3 }

Monson

M. Bladen

B. Keene

R. Plumer

Edw Ashe

Ja. Brudenell

B. P. R. O. South Carolina B. T. Vol 27 p 70

(18th February 1742/3)

To Col. Bull Lieut. Governor of South Carolina

Sir

Since our last Letter to You of the 3d of August 1742. We have received two from You; One of them is a Duplicate and without a date, which acquaints us with the Measures taken and carry'd into Execution for the Relief of Genl. Oglethorpe.

We cannot be commend the Zeal and Expedition which you and the Province have shewn upon that Occasion, and Congratulate you upon the happy conclusion of that Affair.

We received by the same conveyance a Representation to his Majesty relating to the defenceless state of South Carolina & have transmitted it to His Grace the Duke of Newcastle, in order to its being laid before His Majesty. We shall be always ready to give you what assistance We are able on this or any other Occasion where the good of the Province is concern'd.

As the other Letter which is dated October 22d 1742 contains nothing more than Copies of Letters from Admiral Vernon, Genl. Wentworth and Governor Trelawny relating to Business now at an end, We have only to own the

the Receipt of it, with Minutes of Council from June to August 1742; and to desire you will continue your care and diligence in furnishing us with all such Accounts of transactions as you may Judge necessary for our Information. So We bid you heartily farewell and are

Your very loving Friends
& humble Servants

Monson
M. Bladen
E. Ashe
R. Plumer

Whitehall
February 18th. 1742/3

B. P. R. O. A. & W. I. vol 19. p. 174

(23rd February 1743)

The Committee appointed to confer with a comee of the Upper House to take under consideration the State and defence of this Province made the following Report.

That in order to take the most particular view of the State of this Province your comee have carefully perused the several letters and Depositions which his Honr the Lt Govr has been pleased to communicate to this House and were referred to the consideration of the comee who beg leave to lay before the House Extracts of the most material parts of those papers which we humbly conceive contain sufficient information of the designs of our Enemys and the dangers which most immediately threaten the quiet and welfare of this Province (which are as follows)

1st The Deposition of Alexander Parris who was taken the 12 of May last by a Spanish Privateer and carried into Augustine on the 8th of June and was brought with several others to Chs Town in a Spanish vessel from Augustine with a flag of Truce to exchange for Spanish Prisoners on the 5th of this instant.

The

18

The Deponent says that he with several other of the English Prisoners were put on board some of the Spanish Vessels employed in the late Invasion of Georgia upon St Simons. That the principal Design of the Expedition as far as he learnt on board the Commodore was to destroy the Settlements of Georgia. But when the Fleet was lying off St Simons he heard some discourse of their going first to Port-Royall in this Province to supply themselves with Provisions and Water. That besides a Bermudian Pilot who deserted from the Spaniards to General Oglethorpe there were two Irish Roman Catholicks on board one of the Galleys one of whom said he had been a Servant in this Province to one Mr Mc Pherson from whom he ran away to Augustine with 4 Negroes. That there were a great many Negroes on board the fleet who had run away from Carolina many of whom this Deponent knew and one of them named Toney formerly belonging to Mr Givens of Port Royal desirous to return if he could be sure of a pardon told this Deponent that they to be employed particularly to go amongst our Negroes and to assure such as would desert their Masters and join the Spaniards they should be free. This Deponent further saith that about

about 2 months before one Pedro Cameis Master of a Sloop belonging to Havanna told him at St Augustine that there were six half Galleys building at Havanna And that the Governor of that place proposed to make another attempt upon Georgia this Spring now coming and that Port Royal was to be the place of Rendezvous in order to cut off the Communication between this province and Georgia And the more effectual to do that 2 forty Gun Ships were in the meantime to keep Cruizing on and off Port Royal. That he heard various talk from others about a fresh attempt being made. That many Vessells go from Havanna and Cape Francois with Provisions to Augustine.

The Deposition of Edward Morris Mariner taken by the Spaniards the 12 of May last agrees in General with the above information and says further that he heard one of the Ships had a quantity of facines and some heavy Cannon on board.

The Deposition of Edmund Gale Mariner taken by the Spaniards the 18 of May last agrees also in General with the above informant with this further account that he was often told at Augustine that a Marquis of Cuba who was in the late Expedition against

against St Simon was gone to old Spain to make a Representation to the Crown thereupon and to Sol-licit for fresh Orders.

Charles Hicks Merchant native of New York who had resided at St Augustine for nine years gave in substance the following information. That soon after the late Expedition against St Augustine there was a talk amongst the Spaniards of making an Expedition against Georgia; that it was the opinion of many that the Negroes of this Province would join them. That he apprehends the late Imbarkation against Georgia consisted of about 3000 Men vizt 800 Regular forces from Havanna and 400 from Augus-tine 500 Negroes (among whom were the Carolina Deserters) and Mulattoes and the rest were Convicts from Lavera Cruz That he heard that the Spaniards carried with them 12 pieces of Cannon for a Battery That there were various Reports of their intended Scheme whether they should proceed first to St Simons Port Royal or Charles Town. That on all hands he understood that they proposed to destroy everything they met with. That he had heard that there are more Galleys building at the Havanna And it was supposed that the Governour of St Augustine would endeavour to obtain

obtain a fresh order from his Catholic Majesty to make another Expedition against Georgia or this Province That the Spaniards of Augustine appeared very desirous of another Expedition having a great dependance on the Negroes of this Province rising upon such an occasion and joyning them whose number they understood was about 40000 and the number of white Men not above 5000

Your Committee have perused the letters from Governour Clark of New York signifying that one or two partys of french and Indians were upon their march towards the Southward, And likewise a letter from Captn Horton at Frederica to the Lt Govr importing that he was ordered by General Oglethorpe to acquaint the Lt Govr that there is very good reason to expect that the French and Spaniards are preparing to attack these Colonys.

That upon perusal and consideration of the several letters and Depositions laid before the Committee it is the opinion of the Comee That as we are at present in a State of War with Spain there is a necessity that the Province should be put into a proper posture of defence. And as from those Letters and Depositions it appears to be highly probable that the Spaniards of Havanna and St Augustine have a design and are now forming an Expedition either against this Province or

or the Colony of Georgia, or both, and which may soon be carried into Execution, that necessity becomes more pressing and urgent.

And therefore the Committee came to the following Resolutions.

1st ——— That the line or plan of fortifications on the South part of the Town from Counseillers Creek to Broughtons battery as laid down by Colo Beale and approved by his Honr the Lt Govr in Council shall be immediately finished according to the said plan and in the manner as the said works have been already begun and in part executed.

2ndly ——— That a line in the same manner as that from the New Bastion near Counseillers Creek to Broughtons Battery be made and finished with a proper redoubt thereon from Broughtons Battery to Granvilles Bastion at the South end of the Bay.

3rdly ——— That a small work be erected at Rhetts point and a line of Palisadoes continued from thence to Cravens Bastion.

4thly ——— And as the publick hath already been at a very considerable expence in building a Curtain line before the Bay of Charles Town and mounting a line of Cannon thereon for the defence of the Town, and Province which

which Works are rendered of very little use by the several sheds, Stores and Warehouses built upon the Wharfs without to the Eastward of the said line which will prove in case of an Attack not only of great danger and incumbrance to the defenders but a Cover and Shelter to the Assailants.

Resolved

That the said Sheds Stores and Warehouses ought to be immediately removed and none for ever hereafter be suffered to be built to the Eastward of the Curtain line except scale Houses one on each Wharf not exceeding ten feet in breadth and length and ten feet in highth. and it is further

Resolved

That the Communication between the said Wharfs to the Eastward of the said line be cut off from the said line except by draw-bridges to the intent that the Curtain line be always kept free and open so as to be rendered of as much use and service as possible.

5thly ——— That his Honr the Lt Govr be desired to have a proper survey made of Hog Island Creek and the Water passages that way and the properest place for erecting a Battery or sinking of Hulks so as to prevent the Enemys entering on that side either by the said Battery

Battery or stopping up the passage.

6thly ——— That it be recommended to his Honr the Lt Govr to take proper measures with the Commanders of his Majestys Ships on this Station that their said Ships be posted at the times of their lying in this Harbour in a more convenient place than they now generally use either below or just above Fort Johnson.

7thly ——— That his Honr the Lt Govr be impowered by a law to Cause such and so many vessels as shall be lying at the Wharfs or before the Curtain line of Charles Town during any time of a General alarm to remove from the same to such convenient distance as he shall judge proper.

8 ——— That proper places of strength or security be provided in different parts of the Province for the Women and Children to retire to in time of danger vizt one at or near Bryans point opposite to Port Royal Island One at or near Pon Pon bridge one in the Town of Dorchester One at Stone-landing on Cooper River and one at or near George Town.

9 ——— That his Honr the Lt Govr be desired to make application to the Govr of North Carolina for a number of Men not exceeding a thousand to March to the assistance of this Province upon notice of any

Invasion

Invasion to be paid by this Gov^t^ and the same to commence from the time of their marching.

10. ——— That it be also recommended to his Hon^r^ to send notice of the Information received relating to the designs of the Spaniards and the March of the French and Indians to Sir Chaloner Ogle Commander in Chief of his Majesty's Ships in the West Indies by a Vessel hired on purpose if no other proper opportunity now presents and also to send Expresses to the several Nations of Indians in friendship with us to put them upon their guard.

According to Order the House proceeded to take under consideration the Report from the Comee to consider the state and defence of the Province. And the said Report was read a second time, and debated Paragraph by Paragraph. And to the 1st 2d & 3d Resolutions of the Comee the House agreed.

And on debating that part of the fourth Resolution in regard to removing the Stores &c immediately that lye to the Eastward of the Curtain line. The question was put whether the House would agree to that part of the Resolution of the Committee.

The House divided. The yeas went forth

Tellers

Teller for the yeas Mr William Elliott 15.
Teller for the nays Doctor Brill. 15.

So that Mr Speaker had the casting vote who voting with the yeas it was resolved in the affirmative And Resolved that the proprietors of the front lots do receive a resonable compensation for the Houses which shall be pulled down to be provided for by a Bill to be brought in for that purpose.

And on that part of the said 4th Resolution that no Sheds Stores and Warehouses should forever hereafter be built to the Eastward of the Curtain line. The question was put whether the House would agree to the same. Which was resolved in the Negative.

Resolved that no such Shed Store or Warehouse shall be built to the Eastward of the Curtain line during the continuance of the War

To the last part of the 4th Resolution in regard to the line of Communication the House agreed with this alteration That it should be done with draw-bridges on plank

To the 5th 6th and 7th the House agreed

To the 8th the House agreed with this amendment That one of the places of Security should be at or near Bryans point another at Dorchester and a third at George Town

Town Winyaw to be built at the Public expence and one in each Township to be paid out of the Township fund.

To the 9th the House agreed to with this amendment, That the men to be applied for to be raised by the Governour of North Carolina shall be sent for when it shall be thought necessary by the General Assembly

To the 10th the House agreed without any amendment.

Ordered

That a Message be prepared to be sent up to desire his Honour the Lieutenant Governour to send for Mr Ayres the Sub Engineer of Carolina and Georgia to advise with him on the fortifications to be built.

Mr Cramahe the Master in Chancery brought down a Message from the Lieutenant Governour and also a letter from Governour Tinker at New Providence which were read and are as follows vizt

Mr Speaker and Gentlemen

I send for Your perusal and consideration a Copy of Governour Tinkers letter to me in relation to the information he has received of preparations making at Havanna for an Armament of three thousand Men I apprehend that altho' it is said therein that these forces

forces are designed as reported against Providence, yet, that their true design is against this Province which may be gathered from the Depositions of some English Prisoners lately brought from St. Augustine in the flag of Truce which I have already laid before you.

I therefore earnestly recommend it to you, to enable me to put the Province forthwith in a better posture of defence the Spring being approaching when it may be expected that the Enemy will put their design in Execution.

the 23d day of February 1742/3 William Bull

B.P.R.O. A & I. W. Vol 623

(February 1742/3)

May it Please Your Grace

Sometime ago I had the Honour to deliver Your Grace a Copy of a Memorial, which I presented to His Majesty wherein was Set forth the Commands I have had from the Government and the Disadvantage I had received by the same in my private Fortune Humbly praying his Majesty would be Graciously pleased to provide for me if an opportunity should happen for his Majesty's Service in those Parts, and as the Right Honourable the Select Committee have delivered their Report to Your Grace and if his Majesty should be pleased to Grant them three Independent Companys recommended in the Report for the Protection of the Province of South Carolina, I humbly beg Your Grace would be pleased to recommend me to his Majesty for the Command of One of them, and shall by a strict Observance of my Duty endeavour to meet this Your Grace's favour and remain May it please Your Grace

Your Grace's Most Obedient and
most Humble Servant,
Alexr. Vander Dussen

His Grace the Duke of Newcastle)

B. P. R. O. Am W. I. Vol 19 p 177

Charlestown March 3d 1742/3

Dr Sr

It gave me great concern to hear of your falling into the hands of the Enemy, because the Province as well as yourself suffered thereby, the Duplicates of your dispatches are no doubt long ago arriv'd, and I am in hopes, that great progress is by this time made in our application for assistance, to the Province, We have certain advices from the Prisners brought here from the Havanah and St Augustine, as well as from Intelligence from other quarters, that the Enemy are actually making preparations for another attack, and are now Employed at the first of those places, in building of Gallies for that purpose, and of greater force than any heretofore made use of in those parts, had this intelligence been givn while the Detachment from Jamaica was here, we should have used our Endeavours to have kept them amongst us, notwithstanding the strictness of their Orders to Return again, in case the Enemy was gone and no imediate danger of their Return.

You are very sensible what little Resistance all the force of Charlestown or Port Royal can make against any Number of regular forces, and what must have been the

the Case had their last attempt (as at first intended) been made against Either of these places, and no better chance have we, in case of another this Summer.

These last advices make great Impression on the minds of the People who now think their Interest in Carolina more and more exposed to Danger; How far such apprehensions so well grounded may carry them in case no timely assistance is sent, God knows. We are fully satisfied that you and the other Gentlemen being well acquainted with the Circumstances of the Province will enforce them at home in order to engage the attention of the Ministry.

I am afraid that the Lieutenant Governor, who is now and has been sometime in the Country, will not have an opportunity by this Ship, of writing his Sentiments to the Secretaries of State on the present Situation of Affairs however it is the Duty of every Individual person in the Province who has any regard for its safety, to take Notice of what we have all the reason in the World to believe will be our case if we should not receive assistance both by Sea and Land and that Soon too.

All your friends here wish you well and that you may Succeed in your Applications and nobody more than

D^r S^r

Dr Sr

Your most Obedient Servant

(To Colo Vanderdussen) Jo Fenwicke

P. S.

Captn La Croix whom You know was brought in here by Captn Warren before the Seige of Augustine, has been here to Exchange Prisoners. But we have reason to believe that he had more in view than the Exchange of Eight Prisners he Commanded all the Small Craft and Gallies from St Augustine on the Invasion of St Simons, and informs us that he Carried off from that place one of Col. Cookes new invented Gun Carriages, which was received with great pleasure at the Havanah, where the Governor ordered a great many more to be imediately made after the same model.

We have lately discover'd another attempt amongst several of our Negroes to make away to the Spaniards at St Augustine but were discovered and the ringleaders hanged, Such are the Dangers from such a neighbourhood to our Province And indeed to all North America

B. P. R. O. South Carolina B. T. Vol 12 G 101.

Charles Town So. Carolina March 4th 1742/3

My Lords

Having lately received several Informations relating to the Designs & Proceedings of the French and Spaniards, I beg leave to lay before Your Lordships may be thereby acquainted with the present dangerous Situation of Affairs in this part of His Majestys Dominions. In hopes that Your Lordships will be pleased at a proper time to recommend the same to His Majestys Royal Consideration, that His Majesty may be graciously Inclined to grant some further Protection to this Province which is at a Considerable yearly Expence in building & Repairing Fortifications, & maintaining Men in the Gallies and Scout Boats the better to withstand the Attempts of His Majestys Enemies, besides the frequent expences in Presents to Our Indian Neighbours.

I am with the greatest Respect
My Lords
Your Lordships
most Obedient and most
humble Servant
Wm Bull

The Right Honble the Lords of Trade.

Recd May 31st }
Read June 7th } 1743

B P R O South Carolina Vol 12 G102

(Enclosure to G101)

Frederica 21st January 1742/3

Sir

General Oglethorpe received the inclosed from the Governor of New York and has Ordered me to forward it to you. I am also ordered to acquaint you that there is very good reason to expect that the French and Spaniards are preparing to attack these Colonies

I am

Sir

Your most Obedient
humble Servant

Honble Wm Bull Esqr — Wm Horton

A true Copy

Alexr Gordon C.C

Recd May 31st } 1743
Read June 7th }

Recd with Col Bull's Letter dated ye 4th of March 1742/3

(Enclosure)

New York Decr 13th 1742

Sir

I have at present only time to acquaint you that a party or two of the French and Indians are marched to the Southwards, I hope this will reach you

you time enough to put all the Indian Nations on their Guard. I am

Sir

Your most Obedient

humble Servant

Honble Governor Bull George Clarke

A True Copy

Alexr Gordon C.C.

Recd May 31st } 1743
Read June 7th }

B. P. R. O South Carolina B T Vol 12 G 103

(14th February 1742/3)

Sir

By a Vessel that is come in here from Cape Francois, I have information that from a Spanish Privateer that put in there, it was reported Prepara-tions was making in the Havana for an Armament of three thousand Men which were designed against this place. I presume if they have any Such In-tention it will be put in practice after the return of our Flag of Truce. That Captain Frankland will have time to return before any thing can happen by which Occasion I must intreat you to send the fifty Barrels of Powder, which upon such an Occasion will be very much wanted.

If there is any material News from Europe relating to War, or Peace, I beg you will dispatch away some Vessel immediately to

Sir

Your most humble Servant

John Tinker

Providence 14th February 1742/3

A True Copy Alexr Gordon C.C.

Honble William Bull Esqr

Recd with Colo Bulls Letter dated 4th of March 1742/3

Recd May 31st }
Read June 7th } 1743

B. P. R. O. South Carolina B. T. Vol. 12 G 104

(Inclosure to G 11)

(16th February 1742/3)

South Carolina Com Berks Ss

Captain Edward Morris, a Native of London & for about five Years past a Resident in the said Province, aged about twenty Six Years, having been for some time lately a Prisoner at St Augustine but on the fifth Instant brought back to this Province by a Sloop sent from the Governor of St Augustine with a Flag of Truce from the Exchange of Prisoners, being duly Sworn on the holy Evangelists Maketh Oath and Saith as followes.

That on the 13th day of May last being then coming from Port Royal to Charles Town in a Schooner belonging to Captain Ephraim Mikell laden with Rice and Timber (of which the Deponent was Master, Captain Alexander Parris then on board Pilot, and two other White Men and one Negro before the Mast) he was taken within Six or Seven Leagues of the Bar of Charles Town by a Spanish Privateer a Brigantine of Ten Carriage Guns (of which Eight were four Pounders & two Somewhat larger) & 10 Swivel Guns besides Blunderbusses and about One hundred and Ten Men Commanded by Don Piedro Lestrand a Frenchman as he Said himself, the Chief Mate and Twenty two of the Men being French Men also

also That the Captain of the said Privateer having taken out this Deponent and his People, & put about thirty of his own Men on board the Schooner cruized with her afterwards in Company for two or three days of the Bar of Charles Town, But not meeting with any Success, dispatched the Schooner away with Seven of his own Men & one of this Deponents to Augustine and then proceeded on his Cruize to the Northward which was so far as [illegible] Inlet on the Coast of North Carolina. That on the Eighteenth of May the said Privateer took a Snow Captain Edmond Gale Master, near Cape Fear Bar bound from New England to that place. That on the twenty Second day of the Same Month in the Morning early, the Brig standing westerly (with Intent as he apprehended to go to the Southward again along shore) and being then (as he heard Some of the Men on board say) somewhate to the Southward of Cape Fear, & about Twenty Leagues to the Eastward, the Wind to the Eastward of South but very little, they Spied a Sail between three & four Leagues off to the Westward which proved to be a Snow, which the Brigg immediately chased And after a little time the Snow put about & hoisting an English Pendant gave chase to the Privateer. Upon which the Captain

Saying

Saying he believed She was a Man of War put about & Sailed & rowed from her to the Eastward, there being but little Wind & sometimes none at all. The Snow Continued to chase her in that manner the whole day, having her two Boats out towing a head; and was sometimes within two Gun Shot of the Brig & fired Several Shot at her; But the Privateer returned none nor Shewed any Colours except an English Ensign once for a short time. That he this Deponent as well as the rest of the English Prisoners were upon Deck all the said time. And that he knew the said Snow to be the Swift Man of War Commanded by Captain Bladwell because he had seen her in Charles Town harbour every day for almost a moth together, & had made Several Observations about her particularly as to her Masts & Yards. And he heard one of his own Men & Captain Parris also say that they knew her to be the Swift. But that upon being asked by the Captain of the Brig they concealed the same in hopes of being retaken; That in the Evening about Sun Set, the Wind freshening from the Same Quarter the Snow came up with the Brig soon after under her Quarter within half Gun Shot & fired a Shot at her Whereupon the Captain of the Brig ordering all the English Prisoners

Prisoners down into the Hold, hoisted the Spanish Pendant & presently after returned a Shot, which was followed by several Shot on both Sides. That at the time when this Deponent went into the Hold as aforesaid which was just about the daylight shut in the Brig was Standing E N E with all her Sails set as before except the Studden Sails which were then taken in, and going about three knots with an Easy Gale. And that the Snow had also all her Sails set as before, but then went Considerably better than the Privateer. That after this Deponent was in the Hold he heard five Broadsides exchanged & a great many Small Arms and after the first Broadside was fired by the Privateer he saw some of the Swivel Guns handed down which he understood afterwards broke out of their Stocks. That the Action lasted about five hours from the time of the first Gun being fired until the last Broadside, which last Broadside was fired by the Privateer. And soon after the said last Broadside, some of the Privateers Men came into the Hold, and he heard them say that the Man of War had bore away right before the Wind immediately after the said Broadside; and that they heard a Cry on Board her as if some were killed or

wounded

wounded. She being as they said then within Pistol Shot of the Brig And this Deponent saith that the Privateer did not stand about after the Snow, but Continued her Course, That She had kept but one Course or near the Same all the time of Action, and had not Shortned Sail all the time as far as this Deponent could perceive or be informed. And that he could perceive but very little Odds in the Wind being freshened more at the time of the last Broadside untill the Morning when the Wind freshened Somewhat at about South East. And this Deponent and the rest of the English Prisoners being then admitted upon Deck again, the same Sails were found Standing as were set in the Evening before and the Privateer continued much the Same Course, the Snow not being then to be seen. That the Brig had received but one Shot only, in her Hull, but had several Shot in her Sails, her forestay Sail cut to pieces, one of her Main Shrouds cut through & Several of her running Rigging; and had only one Man killed and five Wounded. That she had no Netting or Waste Cloths for Shelter for the Men. And that she was so leaky (being as this Deponent was informed about thirty Years Old) that there were hands at the Pump all the time of

of the Action; and in the Morning proved to be much Shaken & injured by the firing of her own Guns. That the English Prisoners were much jeered by the Privateers Men for the manner of the Man of War's leaving them. That after the said Privateer had Cruized some days longer to the Northward near Roanoke Inlet, a Survey having been made upon the Brig, he bore away to St Augustine where he arrived safe. And that he this Deponent often heard it as a Common Talk in that Place that the said Privateer had beat one of the English Men of War.

And this Deponent further Saith that at the time he arrived at St Augustine there was then lying within & without that Harbour a Spanish Fleet consisting of Eight Ships One Snow and Several other Smaller vessels making above forty Sail in all, and after he had been in the Dungeon two Days he was put on board a Sloop in the said Fleet, which he was told was going upon an Expedition against Frederica, and was promised to be released with several other English Prisoners, which were also put on board the Same Fleet as soon as they should have reduced that place. That by the best Information he apprehended the Number of Men in the said Fleet to be about three thousand

thousand of all Sorts. That they were but very Scantily provided with Provisions, and before they got to St Simons which was in fifteen days, the Men were at an allowance of half a pint of Water p^r Diem a Man. That he heard one of the Ships had a quantity of Fascines & some heavy Cannon on board. That the principal design of that Expedition, as far as he could learn from some Officers & persons of the better sort upon the Passage, was to destroy the Settlements in Georgia & so far as Port Royal, that land being as they said taken from them in time of Peace. That the Governor of Augustine Commanded by land. That he never could learn that there was any English Man in the Fleet, a Volunteer as a Pilot or in any other Capacity. That the Commander of the Settee Galley in the presence of this Deponent Sounded the Bar of St Simons & Conducted the Fleet into that Harbour having first buoy'd the Channel in the presence of this Deponent That after they passed the Battery at St Simons, they Landed the Land Forces. And after they had been there some days, he this Deponent was told by many that the Woods were found almost impassable, and that a Deserter was come into the Spanish Camp from General Oglethorpe who gave Information that a Fleet of English

English Men of War were coming and also Forces from Carolina to the relief of the General. That upon sight of five Sail of English Vessels afterwards off the Bar of St Simons, the Governor of Augustine immediately embarked his Troops in the utmost Confusion and disorder, and set off the same Evening with the small Vessels (on board one of which this Deponent was) in order to return to St Augustine within Land. That he went through Jekyl Creek & anchor'd that night in Cumberland Sound in sight of the Commodore; the next day he landed his Men & burnt a Small Stake Fort or Look out Called St Andrews and carried off one small Gun which was there, and destroyed about twenty Horses Still in sight of the Commodore And the day after they proceeded to the Inlet Called – The following day the Vessel which drew too much Water to go further within Land put to Sea, But the Governor with the small Vessels kept on within Land & run by Fort William in a Small Schooner with the rest of the small Craft, whilst the Quarter Gallies kept a Fire upon the Fort for about an hour and half which Fort defended itself by one large piece of Cannon & Small Arms. The the whole put to Sea, and going along about

about six Leagues upon the Coast run in the same Night to St Juans where the Governor Landed & rid to St Augustine.

And this Deponent further saith That two Ships a Large Schooner and two Sloops which he understood were five days upon their passage back to St Augustine lay without that Bar Some days for Necessarys as he was informed being unable to go in and then proceed to Havanna. And that a great many other smaller Vessels which went into that Harbour for the same purpose Stayed seven days longer as he was informed and then proceeded to Havanna also.

And this Deponent Saith, that the allowance given to the English Prisoners in Augustine Castle where he was confined after the retreat from St Simons was four ounces of Jerked Beef two Ounces of Salt Pork or Bacon, Pease and Rice Sufficient with it, & one pound Bread pr Diem. But no Bedding & Clothing was allowed to them altho in great want of it, and had Petitioned the Governor and Bishop to no purpose. And the Prisoners being obliged to lie upon the bare ground without any Floor, some Died as this Deponent verily believes purely upon that account. And that three Wounded Men in particular belonging to His Majestys Ship

Ship Flamborough who had been at the Hospital & brought back again to the Castle caught Cold by the Dampness of the place & were sent again to the Hospital and Died every one, as he was informed And that he was well informed that few of the Wounded Men who went into the said Hospital ever came out again alive.

And this Deponent lastly Says, that he knows nothing about any New Expedition being on Foot against this Province or Georgia But that the Spaniards at St Augustine are in expectation of being visited by the English.

Sworn before His Honr the Lieut. Govr and Council this 16th day of Febry 1742/3 — Edward Morris

Alexr Gordon C.C.

A true Copy
Alexr Gordon C.C.

Recd May 31st } 1743
Read June 4th }

Recd with Colo Bulls Letr dated ye 4th March 1742/3

B P R O. South Carolina B T Vol 12 G106.

(Enclosure to Col. Bull's of 4 Mar 1742/3) 16th February 1742/3

So Carolina Com Berks Ss

Captain Alexander Parris a Native of the said Province aged about forty four Years, having been for some time past a Prisoner amongst the Spaniards at St Augustine, but lately brought back by a Sloop sent by the Governor of that place with a Flag of Truce for the Exchange of Prisoners, being duly sworn on the holy Evangelists Deposeth and Saith as follows vizt

That about the begining of May last he went on board a Schooner at Port Royal in this Province named the Fortune belonging to Captain Ephraim Mikell of which Captain Edward Morris was Master he this Deponent being Employed as a Pilot to carry the said Schooner from thence to Charles Town. That they Sailed on the 12th May & were chased the same day by a Brigantine and the next day the said Brigantine came up with them in about 10 or 12 fathom Water about Seven Leagues from the Bar of Charles Town, and brought the Schooner to & took her (the Schooner having no force & only two White Men & one Negroe on Board besides the Captain and this Deponent) The Brigantine proved to be a Spanish Privateer of 10 Carriage Guns (of

(of which 8 were four Pounders & the other two were somewhat larger) & 10 Swivel Guns besides Blunderbusses & about 110 Men Commanded by a French Man named Don Piedro Lestraud who was the Same Man (as this Deponent was informed on board that had before Cruized upon this Coast in a Sloop Commonly known amongst the English by the name of the Black Sloop. That all the Officers on board except the Lieutenant & Second Mate besides many of the Private Men were French Men. That the said Privateer cruized afterwards two or three days off the Bar of Charles Town with the said Schooner in Company, but meeting with no Success in that time, sent the Schooner away with 7 of his own Men & 1 of Capt Morris's to St. Augustine. Then proceeded himself on a Cruize to the Northward so far as Ocacock Inlet on the Coast of North Carolina. That on the 18th day of May the said Privateer took a Snow Edmund Gale Master & 6 hands including a Negro bound from Boston to Cape Fear, being then near Cape Fear River Bar, which Snow he Sunk. That on Sunday the 22d May in the Morning about Sun Rise being then Standing to the Westward in Shore with the Wind to the Eastward of South, but very small, & (by the best Conjecture this

this Deponent could make by his own Guess & the Information of Persons belonging to the Privateer) about 20 or 25 Leagues from Land between the Latitudes of Cape Fear & Charles Town Bars they Spied a Sail to the Westward about 3 Leagues off which the Privateer presently stood for. And after some time It was perceived that the said Vessel was a Snow Standing for the Privateer & had a Pendant up; upon which the Captain of the Privateer said he believed She was a Man of War, then stood about & there being but little Wind, Sailed and rowed off as fast as he could to the Eastward. The Snow followed having two Boats out a head to Wing her Sometimes it was calm, and then the Privateer got the Start; But when a little Breeze sprung up then the Snow came up with the Privateer again pretty near; And so it Continued the whole day, they being Sometimes within two Gun Shot of one another, during which time the Snow fired several Single Shot at the Privateer, which returned none nor Shewed any Colours an English Ensign for a short time. That this Deponent knew the said Snow to be the Swift Man of War having after seen her in the harbour of Charles Town, and that Captain

Morris

Morris & one of his Men said they her also. But that upon being asked after by the Captain of the Privateer, whether they knew her, they concealed the Same in hopes of being retaken. That the English Prisoners were upon Deck the whole day, That in the Evening a Breeze sprung up, which freshened in the Close of the day, when the Snow came up with the Privateer under her Quarter within Musket Shot (the Privateer then Standing E.N.E with all his Sails out except the Studden Sails which were taken in & going about four knots) and fired a Shot at her. Whereupon the Captain of the Privateer Said he should fight the Snow, tho he did not want to fight Men of War, that not being his Errand; that he knew She was a Man of War, & told the English Prisoners that he did not want them to fight for him nor to Stand in the way to be killed and thereupon they were all ordered down into the Hold Soon after which he this Deponent heard a Gun fired on both Sides, And that he also heard five Broadsides from each, the last of which was fired by the Brigantine, it being then as this Deponent judged between twelve & one a Clock at Night, & the time of Action between 4 & 5 hours. That about an hour after

the

the said last Broadside, some of the Privateers Men came into the Hold & told this Deponent & the rest of the English Prisoners that the Man of War had bore away from them, that they heard a Cry on board O Lord! O Lord! and that they saw Lights over her Side as he went off. That the next Morning the English Prisoners were admitted upon Deck again when the Captain told them the Same, Saying he believed that the Commander of the Man of War was Killed & that the Men therefore bore away, and added Your Country Men ran away Crying. That the said Snow never appeared in Sight afterwards. And this Deponent further Saith that he perceived most of the Swivel Gun Stocks were broke to pieces as well as some of the Great Gun Carriages by firing; that there were Men Pumping all the time of the Action and that the next day the Vessel (which was very old and Crazy) proved so much Shaken by her own firing that she was very Leaky. That he had no Waste Cloths or Netting to Shelter the Men. That She had but one Shot in her Hull which was in the Bow, but that her fore Stay Sail was cut all to pieces the rest of her Sails very much Shot through, two of her Shrowds cut away & abundance of her small

Rigging

Rigging. That She had but one Man killed and five Wounded. That the said Privateer kept the same Course, or stood about once the whole night. That the wind freshened somewhat more at Midnight and that in the Morning after the Action, the wind Continued to the Eastward of the South somewhat fresher still. That after the said Privateer had Cruized several days more to the Northward, the Officers on board having made a Survey upon the Brigantine, & fearing lest She should Sink under them She bore away to St Augustine & arrived there about the Eighth of June. And that he was often jeered by the Spaniards in that place for that an English Man of War (meaning the Swift) had run away from the said Spanish Privateer.

And this Deponent further Saith that after he arrived a St Augustine he was not put into close Confinement (in regard to his Father the late Treasurer of this Province, & for that he had some Friends personally by his having traded there formerly in time of Peace) But was permitted to walk the Bay as far as from the Convent to the Guard House in the day time. That there was then a Spanish Fleet lying there (the large vessels without the Bar and the

the small ones within) consisting of about forty Sail (besides about Ten Open Boats) the Principal of which were the Commodore Ship (a French Merchant Man) of 18 four pounders & 2 nine pounders, a Snow of fourteen Guns four pounders a Settee or half Galley carrying 1 Eighteen & 2 four pound Brass Guns & 120 Men, Six Quarter Galleys carrying each one Brass Eight pounder and four Swivel Guns, & about 30 Men, the rest were all Sloops & Schooners of little force, except 6 Ships Transports & One Hospital Ship, On Board which according to the best Intelligence this Deponent could get, there did embark about three thousand men of all sorts, upon an Expedition as he heard against Frederica That about three days after this Deponents having been a Shore at St Augustine, The Governor sent for him & asked if he was a Pilot for the Bar at St Simons; to which he made answer that he was not; Whereupon one Moroto a Spanish Pilot then present, said that he knew this Deponent did know the Land there, because he had been once with him in a voyage from Augustine to Port Royal; Then the Governor told this Deponent that he must be Pilot for that Fleet. To which this Deponent replied that he did not know the Bar of St Simons;

That

That he was a Subject of the Crown of England & that it was a hard thing to expect that he should go & Act against his Country. To which the Governor made answer That it was for the Service of the King of Spain & he must do it, telling him at the same time that one of the English Men of War at Charles Town detained on board an Inhabitant of St. Augustine named Bartholomew Assiento to be made use of as a Pilot for Augustine Bar, & had made use of him in the late Expedition of the English against that place, and thereupon the Governor sent this Deponent on board the Commodores Ship abovementioned and all the rest of the English Prisoners then at St. Augustine (as this Deponent was informed) except the Sick & Wounded & one, Mr. McKay a Midshipman belonging to the Flamborough Man of War who passed for her Lieutenant were put on board the Fleet also on board diffrent vessels Some of which English Prisoners he saw afterwards amongs the Fleet, particularly Captain Edward Morris on board one of the Sloops & Captain Edmund Gale also on board the Settee Galley. And this Method was taken by the Governor (as this Deponent understood after the return of the Fleet from St. Simons to St. Augustine) not only in order

order to have the use or Assistance of any of those English Prisoners on board the Fleet, but also being unwilling to leave them behind him in St Augustine where he left only as he was informed about fifty Effective Men. That the said Spanish Fleet left St Augustine after the middle of June last and was parted by a Gale of Wind in two or three days after. That the Commodore (on board which this Deponent was) came to an Anchor a little to the Northward & in sight of St Simons Bar about five days after he left Augustine, and lay without Eight days; waiting for the Fleet which had been dispersed & joined him daily. That the Governor of Augustine who was also on board the Commodore, asked this Deponent before the Commodore came to an Anchor, whether that was the Bar of St Simons. To which this Deponent made answer that he did not know, whereupon the aforementioned Moroto being present said that it was the Bar of St Simons, and that this Deponent knew the Land. And then this Deponent acknowledged that it was St Simons Bar Immediately upon which a Gun was heard & Seen fired at St Simons Battery then the Commodore came to an Anchor as aforesaid in between 4 or 5 fathom Water, the vessels being then at

at Short allowance of water per Diem, and very short of Provisions. That about four days after the Commodore's coming to an Anchor, The Settee Galley commanded by Don Domingo De La Cruz went in over the Bar in sight of this Deponent; & sounded the same as this Deponent was told, then returned. Whereupon the Commodore weighed Anchor & came to an Anchor again more Southerly with the Fleet, St Simons Battery then bearing W. N. W. after which the Galley went in again & came to an Anchor in the Channel. That then this Deponent was obliged to go in a Boat with the Commodore's Chief Mate & Sound the Channel. That he purposely carried the Boat over to Jekyl side in the Shallowest Water, and afterwards going on board the said Galley, Captain Domingo asked him if he was a Pilot for that place, to which he made answer, no. That thereupon Captain Domingo said he found that he knew nothing of the matter. for that he found but little Water, Whereas he himself had found three or four fathom. And that Accordingly the said Domingo had placed two Quarter Gallies at an Anchor, one on each side of the Channel. That on the Eighth day after the Commodore's first Coming to an Anchor as aforesaid, He Weighed & Entered the

the Harbour of St Simons with so many of the Fleet as were then got together being thirty five in number passing between the said Two Boats And after having passed the Fire from the Battery at St Simons Camp (during which time this Deponent and two other English Men viz The Carpenter & Armourer of the Flamborough Man of War who were with the Deponent also were put down in the Hold) he came to an Anchor above, and Landed the Forces the same Night without any opposition, this Deponent being then upon Deck. That the principal design of that Expedition as far as he learnt on board the Commodore was to destroy the Settlements in Georgia; but when the Fleet was lying off St Simons he heard some discourse of their going first to Port Royal in this Province to Supply themselves with Provisions & Water. That there was not to this Deponents knowledge or belief any Englishman in the Fleet a Volunteer as a Pilot or in any other Capacity But that many of the Sea Officers were Frenchmen, & particularly the Commodore was a Bisiayen as he said himself, and his Lieutenant, one of his Mates, and several of his Men were French Men also. That there was a Bermudian named Arthur Tortine on board the Commodore who said he had been carried

Prisoner

Prisoner to Havana about two Years or more, had Sailed in their Service for his Bread, entered a Vol-unteer in the Expedition with a purpose to run away, and that accordingly he did make his Escape to Gen-eral Oglethorpe, but not till the day before the retreat of the Spanish Fleet, altho he had been often ashore for Water. That besides the said Bermudian, there was two Irish Men (Roman Catholicks) on board one of the Galleys one of which had been a Servant in this Province to one Mr McPherson as he said himself, and had run away from him to St Augustine with four Negroes. That there was a great many Carolina Negroes on board the Fleet who had run away from this Prov-ince many of which this Deponent knew, and as one of them told this Deponent (vizt. Tony formerly be-longing to Mr Givins of Port Royal & desirous to return if he could be sure of a Pardon) they were to be employed particularly to go in amongst our Negroes and to assure such as would Desert their Masters & join the Spaniards that they should be free. And this Deponent further Saith, that during the time the Fleet lay at St Simons, he often heard the Spaniards Complain that they found the Woods between St Simons & Frederica impassable, and that they were full of Indians and

and that they daily Complained of losing some of their Men therein. That a day or two before the Land Forces reembarked, a French Deserter from the General was brought on board the Commodore, who being examined said (as the Linguister told this Deponent) that there were Succours Coming by Water to General Oglethorpe's Relief. That afterwards five Sail of English Vessels appeared off St Simons Bar & Stood off again, Whereupon the Forces reembarked with the utmost Precipitation. The Governor came in one of the Quarter Galleys along side of the Commodore & told him that he must do the best that he could & that he himself would go home with the Small Vessels within Land. Whereupon the Commodore made answer Sir will you leave me here for a Sacrifice. I'll fire one Broadside for my honour and then Strike to the English. This is as the Linguister interpreted the Same. Accordingly the Governor went over to Jekyll that Night. That the next day the Commodore Weighed Anchor & dropt down to the Bar, there being then as he heard on board about two hundred and forty Spaniards Missing of the number Landed. That whilst the Commodore was lying below St Simons Camp, a Spaniard who Swam aboard the Fleet was brought to the Commodore

& who

& who 'twas said brought a Letter from General Ogle-
-thorpe to the above mentioned French Man and in
the presence of this Deponent as it was Interpreted char-
ged him to his face with being a Spie from the
General, upon which the French Man was put in Irons
& the Commodore Sailed for Havana putting this De-
ponent on board one of the Quarter Gallies which
proceeded with part of the Fleet to St Augustine, and
arrived in five days after.

And this Deponent further Saith that four
or five of the largest Vessels which returned to St
Augustine lay without the Bar several days for some
Supplyes &ca before they proceeded to Havanna, and about
twenty Sail of the Smaller Vessels which entered into
the Harbour for the same purpose lay there 14 or 15
days and then proceeded also to Havanna. A few
days after which an English Fleet of fourteen Sail
of all Sorts appeared off the Bar of St Augustine.
This Deponent having then the same Liberty by day
as before the Expedition.

And this Deponent further Saith, that about
two Months past or more one Piedro Cameio Master of
a Sloop belonging to Havana told him at St Augustine
that there were Six New Half Galleys building at
Havanna

Havanna, and that the Governor of that place proposed to make another attempt upon Georgia the Spring now Coming and that Port Royal was to be the place of Rendezvous in order to cut off the Communication between this Province & Georgia, and the more Effectually to do that two forty Gun Ships were in the Mean time to keep Cruizing on & off Port Royal. That he heard various Talk from others about a fresh attempt being made. But that upon their hearing that some regular Forces were arrived in this Province from Jamaica, they were under apprehension that the English would form another Expedition against St Augustine next Spring.

And this Deponent also Saith, That ever since the appearance of the English Fleet off the Bar of Augustine immediately after the retreat of the Spaniards from St Simons untill the time that this Deponent left Augustine which was on the 31st day of last Month, he hath not seen any English Man of War off that Bar, nor hath he heard of any being seen near that Coast except a Ship and a Snow Man of War about a fortnight after the said Fleet. And that many Vessels both Spanish & French frequently come from the Havana & Cape Francois to Augustine with Supplies of Provisions & other Necessarys

Alexander

Alexander Parris

Sworn in the presence of his Hon^r
the Lieutenant Governor in Council
the 11th February 1742

Alex^r Gordon C.C

A True Copy

Alex^r Gordon C.C.

Rec^d May ye 31st } 1743
Read June }

Rec^d with Col^o Bulls Lett^r
dated ye 14th March 1742/3

B. P. R. O. South Carolina B. T. Vol 12 G 106
(Enclosure to Govr Bull's letter 4 Mar 1742) (16th February 1742/3)
So Carolina Com Berks Ss.

Captain Edmund Gale a Native of New England aged about forty Six Years, having being some time past a Prisoner amongst the Spaniards, and on the 5th Inst brought to this place in a Sloop sent by the Governor of St Augustine with a Flag of Truce for an Exchange of Prisoners, being duely sworn on the holy Evangelists maketh Oath, & Saith as follows.

That on the 18th day of May last being then upon his Passage from New England to Cape Fear in a New Snow Named the Deligence of which this Deponent was Master having Six hands besides, of which one was a Negro, he was taken almost within sight of the Bar of Cape Fear by a Spanish Privateer a Brigantine of Ten Carriage Guns (of which 8 were four Pounders, & 2 five Pounders) & 10 Swivel Guns besides Blunderbusses having then on Board as he was informed 101 Men, and Commanded by one Don Piedro Le Straud who acknowledged himself to be a French Man. The Chief Mate two Gunners, & several of the Men were Frenchmen also to the number of 23 in all besides the Captain. The said Captain said that he had been before Cruizing upon the

the Coasts of North & South Carolina in a large Sloop and had taken 12 Sail in one single Cruize some of which he took within Ocacock Inlet at Anchor — That on the 23d of May the said Privateer being pretty near the Latitude of Charles Town Bar & to the Northward of it (for this Deponent had seen an Observation taken a day or two before, after which the Brigantine Stood Westerly within intent to come before Charles Town Bar) Standing still Westerly with the wind but small & to the Eastward of the South about Sun rise he Spied a Sail to the Westward which proved to be a Snow, and which the Privateer presently gave Chace to. Soon after which it was perceived that the Snow Stood towards the Privateer. And after they had Stood for one another some time and were about two Leagues only asunder, The Captain of the Privateer taking Notice of the Snow having a Pendant out, and with his Glass observing the Squareness of her Yards & the like Said he believed She was an English Man of War and Stood about to Eastward and the Snow followed That as there was sometimes but little Wind, and sometimes a Calm, whenever there was wind the Snow came up with the Brigantine, and when it was Calm, the Brigantine having Oars out left the

the Snow again which at the same time had two Boats out ahead towing her. Thus it continued the whole day, during which time the Snow fired four or five Shot after the Brigantine, being sometimes within 2 Gun Shot. But the Brigantine kept on the same Course without returning any Shot, or Shewing his Colours. but Shew'd an English Ensign once for a Short time. That he this Deponent at the same time heard Captain Morris & one of his Men who were Prisoners on board also say that they knew the said Snow very well & that She was the Swift Man of War Com-manded by Captain Blackwell. That about Sun Setting the Wind freshening from the same Quarter (about 3 or 4 knot gale) the Snow came up with the Brigan-tine Soon after within half Gun Shot upon the Windward Quarter and fired a Shot. The the Privateer Shewed his Colours, and ordered this Deponent & the rest of the English Prisoners into the Hold. having before Said that he knew the Snow was an English Man of War, and that he should Fight her tho he did not want to do it, his Errand being in quest of Merchant Men. And at the time when he this Deponent went off the Deck, the Brigantine kept on the same Course as before with all her Sails Standing

Except

except her Studden Sails which were taken in at which time he saw the Snow bear away as if coming up under the Lee Quarter. That presently after he was got into the hold, he heard a Gun fired by the Brigantine; and soon after heard their Broadsides exchanged. That some time after he heard two Broadsides exchanged, he this Deponent looked up the hatchway, and saw the Snow coming up under the Brigs Lee Quarter as he Supposed. And soon after heard a third Broadside exchanged, after which he heard two Broadsides more exchanged; all which Broadsides being in Number five were Mixed with Swivel Guns & Small Arms, and the last of which was given by the Privateer; at which time he this Deponent did hear the voices of the English on board the Snow, and had distinguished the same plainly two or three times before at the time of exchanging their Broadsides and at which times also he heard the Captain of the Privateer cry out aboard aboard my Boys in Spanish, and the time between the first and last Broadside this Deponent supposes to have been between 4 & 5 hours the time between each being pretty equal. That about an hour after the said last Broadside he looked up the Hatchway again, & could not see the Snow

Snow but observed that the Brig was keeping on as Before about 5 Knots then went upon Deck & off again. After which some of the Men came Down & said that the Snow bore away, immediately after the last Broadside & that they saw Lights over her Side. That in the Morning about Sun Rise all the English Prisoners were admitted upon Deck, when the Brig was Standing North East, and the Captain & others said in this Deponents hearing that the Man of War had bore away after the last Broadside fired by the Privateer and that he believed he had done a great deal of mischief to her & that the Captain or Lieutenant was killed because a Noise was heard O Lord our Officer is killed, and for which reason he the said Captain supposed the Snow did bear away And the English Prisoners were often jeered upon that account. And this Deponent further Saith, that he observed the Brigantine had received but one Shot in her hull which was in the Bow but her Sails & Riggings were much Shattered with small & great Shot, particularly two of the Shrowds were sent off. and that there was only one Man killed and five Wounded. Altho the Brig had no waste Cloths or Nettings to Shelter the Men. And some of the Gun Carriages

Carriages were disabled & the Swivel Gun Stocks upon the Quarter Deck were all broke to pieces, which he understood happened the first Broadside for he saw them then handed down into the hold. That the vessel was very leaky occasioned by the firing her own Guns, for she was very old and Crazy; and Men had been kept at the Pump all night during the Engagement. That the said Privateer then Stood away to the Northward so far as in sight of the Land joining to Roanoke Inlet, Still Cruizing. But a Survey having been held upon the vessel upon which the vessel was not judged fit to keep the Sea, She bore away to St Augustine & arrived off the Bar on the 13th June, and went into Harbour a few days after. And that he heard the English Prisoners frequently bantered there upon Account of the above Engagement.

And this Deponent Saith, that at the time he was carried to St Augustine, there was a Spanish Fleet then lying within and without the Bar to the Number of about 50 in all vizt 8 Ships (of which the principal was the Commodore a French Merchant Man of 20 Guns the rest except one Hospital Ship, were transport Ships of little or no force) 1 Snow of

of 14 Guns, 1 half Galley above 60 foot keel, & 18 feet Beam carrying 1 Eighteen pounder marked w Spanish hundred & upwards & 2 four pounders in her Bow, & 2 Swivels forward & 2 more abaft, all Brass Guns, & rowing with 28 Oars & drawing 4½ feet Water (3 Men to an Oar) having 120 Men on board 6 Quarter Gallies carrying each one Brass Eight pounder in the Bow & 4 Iron Swivel Guns, 14 Oars and their Compliment 28 Men, 13 Schooners & Nine Sloops but few of any Force, and about 12 open Pettiagues & Cannoes. That there was on board the said Fleet, as he was informed by several, upwards of 3000 Men of all Sorts including Regular Forces, Militia, Convicts, Molattoes, Negroes & Indians.

And this Deponent further Saith that on the day he was brought ashore to St Augustine he was carried to the Governor who asked him if he had ever been at St Simons to which he replyed no. Whereupon the Governor told him he was going with the said Fleet to take that Place and that all the English Prisoners should go with him, & when he had taken the Place he would give them a small Vessel to return to their Own Country. Accordingly the next day this Deponent & his Son were sent on board the

half

half Galley Commanded by Don Domingo De La Cruz & the other English Prisoners on board other Vessels. But he and the other English Prisoners judged that the reason of this was that the Governor did not care to leave them behind because they understood that he did not leave above Seventy of his own Men (effective Men) at Augustine. That he this Deponent heard the said Captain Domingo as well as other Spanish Officers Say that if they Succeeded at St Simons they should go to Port Royal in this Province and that they should destroy everything they met with but not Settle in either of those places; and that he heard several persons Say that the Governors Intention, after he should take St Simons & Frederica was to send into the Settlements of Carolina the Negroes which had run away from thence to Augustine and for which purpose he carried an entire Company of them with the rest of the Forces of which Tony said to belong formerly to one Mr Givens of this Province was Captain, in order to persuade the Negroes to Desert to the Spaniards by promising them their Freedom in such Case. But that he heard a Negro who said he belonged formerly to one Mr Burnham say that he would return to Carolina if he Could be

be sure of being pardoned. That he never heard or believes that any English Subject offered or gave his assistance as a Pilot in the aforesaid Fleet. But that he heard some People on Board the half Gally say that they had some dependance upon one Captain Alexander Parris of this Province Piloting the Fleet into St Simons; wherefore when the half Galley carried out the Governor and his Retinue on board the Commodore Ship without the Bar of St Augustine on board which Captain Parris was he this Deponent took an opportunity of talking with him about it whereupon Captain Parris told him that he had been but once or twice to St Simons in a Small Vessel of 5 or 6 feet Water, and had never sounded the Channel; that he was not a Pilot for that place, and if he was that he should sooner die than be guilty of such an Action as Piloting an Enemy into his Country, or to that purpose.

And this Deponent further Saith, That the said Fleet set Sail from Augustine Bar on the 19th or 20th June last, & was seperated two days after by bad weather and the half Galley in which this Deponent was, Came to an Anchor the 28th June a little to the Northward of St Simons Bar & in Sight of the

the Battery the Commodore being at Anchor in the same Place with more of the Fleet. After which the half Galley went in and having sounded the Bar returned to the Commodore. Whereupon the Fleet weighed Anchor & came to an Anchor again right off the Bar after which the half Galley went in again with 2 of the Quarter Galleys & Sounded again, and anchored in the Channel with the said Quarter Galleys at anchor also one on each side the Channel. The same day the Commodores Boat went in also and Sounded upon Jekyll Side out of the Channel a great way, & then came on board the half Galley there being in the Boat the said Captain Parris & the Commodores Chief Mate, who said they had found but 12 or 14 feet Water upon which Captain Domingo laughed at Captain Parris saying that he knew nothing of the Matter, and that he himself had found 2½ fathom at low Water & 3½ at high Water upon the Pitch of the Bar. That during the said time this Deponent found that the Fleet was in great want of Water, & but poorly provided with provisions, their Chief Dependance being upon finding provisions at St. Simons. That he was told that one of the Ships in the Fleet was laden with Fascines & 20 pieces of heavy

heavy Cannon. That on Monday the 5th July The Commodore entered the Harbour of St Simons with so many of the Fleet as were then met together again being 35 Sail and having passed the fire of St Simons Battery with little or no damage came to an Anchor above out of Shot, and the Same Evening landed the Forces under the Command of the Governor of St Augustine without opposition.

And this Deponent Saith that he observed that there were many french Sailors in the Fleet and particularly 2 or 3 of the Transport Ship's Crews were all French Men. That 3 Eighteen pound Cannon were taken on board the Fleet from the Battery (having their touch holes Spiked with Bayonets as was said) with Carriages or Machines as it was said of a New Invention before unknown to the Spaniards & which he heard much admired. That during the time the Fleet lay there, he heard that a party had been sent up towards Frederica, where General Oglethorpe had retreated, but were repulsed and a Lieutenant of Granadiers killed and the Woods were generally represented as impassable & full of Indians That one day the half Galley & 2 of the Quarter Gallies were ordered to go up the River to view

Frederica

Frederica, but when they came to the Lower End of a Long Strait Reach which leads up to it, some very large Shot fired from the Town flew over them & obleged them to retere. That afterwards he heard Captain Domingo Say that a French Deserter from General Oglethorpe was escaped into the Spanish Camp, who said he had been ill used by the General, & Informed them that there were some thousands of Men Coming to the Generals Assistance from the Northward by Land & in Petiagues with-in Land & also Men of War by Sea. A day or two after 5 Sail of English Vessels appearing off the Bar of St Simons & which stood out of sight again the same Evening, The Governor having set fire to the Buildings &ca Reembarked with all the Land Forces that afternoon in the utmost pre-cipitation & disorder. And the whole Fleet was in the greatest Confusion also. In the Evening the Governor as this Deponent was informed imagining that those English Ships were gone to Augustine set off with most of the small Vessels & forces on board to return to Augustine within Land through Jekyl Sound. The Commodore remained at Anchor with the half Galley & the large Vessels, all the next day in

in order as this Deponent supposes to cover the Retreat of the rest some of which Still remained in Sight being aground for some time untill the afternoon. The next Morning (being the 15th July or thereabout) the Commodore having made a Signal for Sailing ordered the half Galley down to the Mouth of the Harbour & lie there untill all the Fleet was out, and then put under Sail & Stood out over the Bar. Whilst the half Galley lay at Anchor a Spaniard who came in the Expedition & had been taken Swam aboard her and brought a paper which he said was a Letter to or an Agreement between the General and the beforementioned French Man that had deserted from him, & whose Errand he said was to have so much for every Man so Seduced not but that he said he believed there were forces coming to the Generals Relief. upon which the said Spaniard was sent aboard the Commodore who then Sailed for the Havana with part of the Fleet ordering the Hospital Ship & one ship more with a large Schooner & two Sloops to go to Augustine Bar & to take in some of the Men belonging to Havana which the Governor of Augustine had with him, as also some Necessarys &ca That the half Galley in which this Deponent was arrived at Augustine in

in about five days afterwards.

And this Deponent further Saith, that the said five vessels lay without Augustine Bar several days before they proceeded to Havana and several other vessels which were within the Harbour lay about a fortnight there & then proceeded also to Havana. And about twenty five or twenty six days after that an English Fleet appear'd before the Bar of Augustine, Whereupon this Deponent, who was before at Liberty to walk the Bay was Confined to the Castle, where he remained untill the 31st of last Month, when he was put on board the abovementioned Flag of Truce

And this Deponent further Saith, that it was the Custom in the Castle to give Notice of what vessels were seen upon the Coast, and that from the time the said English Fleet appeared until the said 31st past, no Notice was given of any English Man of War being seen off Augustine in all that time except one twenty Gun Ship & a Snow about a fortnight after the said Fleet. And that it was the Custom at the Matansa Inlet to fire a Gun upon the appearance of any vessel off there which is heard at the Castle, and a Post Comes by Land in about three hours after to tell what vessels are seen. And that

that no Notice was given from thence in all that time of any Man of War being seen that way. And that many Vessels both Spanish & French have Constantly gone backward & forward from Augustine & Havana with Supplies of Provisions & Necessarys.

And this Deponent further Saith, that he was informed that a Regular Stone Fort is now finished at the Matansas Inlet having five Guns of 6 Pound Shot & 1 Eighteen pounder mounted and two of the Quarter Gallies always be there. And that he heard Several Spaniards say, if the Provisions which they received that at the time of the late Expedition against them had been kept out, they must have Surrendered in two days More being just Starved.

And this Deponent Saith that he was told often at St. Augustine, that a Marquis of Cupa who was in the late Expedition against St Simons was gone to Old Spain in order to make a Representation to the Crown thereupon and to Sollicit for fresh Orders. And that one day in last Month being then in the Castle he overheard the Gunner telling another that by advices just brought from the Havana, they should have four hundred Recruits sent from thence to St Augustine before or in the Month of March, & Transports with Provisions to make up a Twelve Months Consumption for the Garrison, and that four or five

five of their Men of War (one of which was to bring 100,000 p.s 8/8) would lie off the Bar; for that it was expected that the English would send a Fleet from Europe to Attack Augustine the Spring Coming.

And this Deponent Saith that the allowance given to the English Prisoners in Augustine Castle was four Ounces of jirked Beef, 2 ounces of Salt Pork or Bacon Pease or Rice sufficient with it, & one p.d Bread per diem but no kind of Bedding or Clothing altho in great want of it. And the Prisoners being obliged to lie upon the bare ground without any floor, Some Died as this Deponent verily believes purely upon that Account. And that wounded Men of the Flamborough who had been at the Hospital & brought back again to the Castle, caught Cold by the Dampness of the place, & were then sent again to the Hospital & died every one. And that he was well informed that few of the wounded Men who went into the said Hospital, ever came out again alive.

Edmond Gale

Sworn before His Hon.r the Lieu.t Governor and Council the 16.th of Feb.ry 1742/3

Alex.r Gordon C.C.

A True Copy Alex.r Gordon C.C.

Rec.d May 31.st } 1743
Read June }

Rec.d with Col.o Bulls Lett.r dated the 4.th March 1742/3

B. P. R. O. South Carolina B. T. Vol 12 G 107.
(Enclosure to Col. Bulls Letter 4 Nov 1743) (23^d February 1742/3)

South Carolina

The Deposition of Captain Charles Dyer who arrived here in a Sloop from Ratan, who being duly sworn on the holy Evangelists of Almighty God the 23^d day of February 1742 in the Presence of his Hon^r the Lieutenant Governor Declared

That at Eight before Meridiem Cape Florida bore West distance about four Leagues, and at half an hour after Eleven We saw in the Latitude of 25. 22 North Two Sloops two Schooners and one Ship which bore from us E. N. E distance about two Leagues and half Standing to the Southward, they directed their Course as I imagined for the Havana, and I take them to be Prizes taken by the large Schooner.

Charles Dyer

Sworn in the Presence of His Hon^r
Lieutenant Governor in Council
23^d of February 1742/3

Alex^r Gordon C.C.

A true Copy of the Original
Alex^r Gordon C.C.

Enclosure

(Enclosure)

John Raven Bedon of Charles Town appearing before His Hon^r the Lieutenant Governor in Council being duly sworn on the holy Evangelists of Almighty God, declared as followes.

On Sunday Morning I was acquainted by Mr Carts Skipper of Mr Beswicks Boat, which gave me an Account that there was about three thousand Men at Fort Diego or thereabouts, & that General Oglethorpe had an Information of the same, and he was going down with four hundred Soldiers and Sixty Indians with his Boats to demolish their Forts or to intercept them, and that there were Ten Indians out & the Spaniards had Surrounded Eight of them, in order by what I understood to burn them alive but there being two of the Ten in the Bushes which fired on the Spaniards that gave the other Eight an Opportunity to escape only with their Guns & hatchets, & that the last Wednesday he heard a great firing at a place Called Scrags's on the Main, where there is a Look out of twenty of General Oglethorpes Men

John Raven Bedon.

Sworn in the presence of His Hon^r
Lieu^t Governor in Council

this 1st day of March 1742/3

Alexr Gordon C.C.

A True Copy from the Original

Alexr Gordon C.C.

Recd May ye 31st
Read June ye 7th } 1743

Recd with Col. Bulls Letter
dated ye 4th March 1742/3

B P R O South Carolina B T Vol 12 G 108

(4th March 1742/3)

South Carolina Com Berks ss

Charles Hicks Merchant a Native of New York aged about thirty Years (just arrived in this Province in a Spanish Sloop with a Flag of Truce from St Augustine for the Exchange of Prisoners) being duly Sworn on the holy Evangelists deposeth & saith

That he hath resided at St Augustine for near Nine Years past, & was detained there upon the breaking out of the present War between England and Spain - That soon after the Expedition from hence against St Augustine, there was a talk there of their making an Expedition against Georgia. but nothing certain till about a Month before their late setting out An Officer arrived from the Havanah with a Packet for the Governor relating to that Affair And it was the Opinion of many of them that the Negroes in this Province would rise & join them. That afterwards a Fleet arrived from Havanah to Augustine where the whole Embarkation was made up, Consisting of about forty five Sail in all vizt about Ten Topsail Vessels (the principal of which was a French Merchant Ship mounting 18 or 20 Guns Commanded by Don Castagnero)

as

a Settee or half Galley, Six Quarter Gallies, & the rest
were Sloops Schooners &ca That he heard various Accounts
of the Number of Men, but upon the whole he
apprehends the to have been about three thousand. Viz.
about twelve hundred regular Forces (including 800 Men
from Havanah & 400 from Augustine) four or five hundred
7 Negroes & Mollatoes (amongst which were such as had
run away from this Province) and the rest were Vol-
unteers & Convicts from La Vera Cruz. That the Governor
of St Augustine commanded the Land Forces, who left
behind him in Augustine about two hundred Men only
of all Sorts capable of bearing Arms - That he hath
heard it often said in Augustine that they Could
bring into the Field a thousand Men of all Sorts.
3 but he believes that to be a large account. That
the regular Forces are about four hundred, the Militia
& others about the Same Number, the Negroes about
two hundred and the Indians about fifty. But that
the Six Gallies which have been there of late had
each thirty Men also. That the said Embarkation was
Scantily provided with Provisions for that they depended
upon finding enough when they should land and did
not proceed from Augustine till fifteen days after the
arrival there - That he heard they carried with them
twelve

twelve pieces of Cannon for a Battery. That there were various Reports of their intended Scheme whether to proceed first to St Simons, Port Royal, or Charles Town But that on all hands he understood they proposed to destroy everything they met with, and to return again That he remained at Augustine untill their return. That Captain Alexander Parris of this Province was obliged to go Pilot of the Commodore, and several other English Prisoners were put on board the other Vessels with the same Intent; but that he never heard that any Englishman was a Volunteer. That at the return of the Spanish Fleet to St Augustine he heard it represented by some of the Officers that the Woods at St Simons were impassable. And that five Sail of English Vessels which appeared off St Simons whilst the Spaniards were in that Harbour, and which were taken to be a Force Superior to their Embarkation was the Occasion of their retreating again so Soon. That part of the Fleet as he was informed proceeded directly from St Simons to Havana with the Commodore. And that the rest returned to St Augustine. That two Ships which could not go into the harbour, lay without the Bar three or four days and that about twenty Sail more of the Smaller Vessels lay

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lay in that harbour about fourteen days to take in provisions & Necessarys and then proceeded to Havanah. That he hath heard it said that there are more Gallies building at Havanah and it was supposed that the Governor of that place would endeavour to obtain a fresh order from the King of Spain to make another Expedition against Georgia or this Province. That the Spaniards at St Augustine appeared very desirous of another Expedition having a great dependance upon the Negroes of this Province rising upon such an occasion and joining them, whose number they understood was about forty thousand & the Number of White Men not above five thousand. That he never heard the Spaniards had any Spies in this Province black or White. but Some Spanish Prisoners, which had returned from this place gave an account that when they had an opportunity they used to tell the Negroes here that they would come for them by & by with which the Negroes seemed well pleased. That about three months past two Companies of Indians arrived at St Augustine to pay a Visit to the Governor, who bestowed a great many presents upon them, near the value of two thousand pieces of Eight. That he this Deponent heard several of them Speak English very well and that after they departed it was said

said they did mischief in their way having killed two Spaniards.

And this Deponent further Saith, that he heard frequently Mention made at St Augustine of a New invented Machine or Carriage for Cannon for the easy management of them, which had been brought away from General Oglethorpes Camp at St Simons, and which they set a very great value upon.

And this Deponent also saith that he was informed that a Fort hath been lately finished at the Entrance of the Matansas Inlet.

And this Deponent saith that from the time the English Fleet appeared off St Augustine Bar after the said retreat of the Spaniards, untill the time that he left Augustine which was on the 31st of last Month no English Man of War hath been seen off that Coast except one only to the best of his Remembrance which was soon after the said Fleet had appeared. And that it is the Custom there always to give notice along the Coast whenever any do appear.

Sworn before His Honr the Lieutent Governor and Council Febry 17th 1742/3 — Charles Hicks

Alexr Gordon C.C.

mem^d

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Mem^d. March 4th 1742/3

The above Deponent having again appeared before the Lieutenant Governor in Council, and declared that the Account of the Forces at St Augustine as given by him upon the above examination is not so accurate & exact as it might have been, did therefore Depose a fresh that the annexed paper signed by him Contains the most perfect and particular account of the Forces at St Augustine which he is Capable of giving after having recollected the same in the best manner possible vizt.

List of the Forces in St Augustine.

Three old Standing Companies the Captain whereof are Don Diego Pabla, Don Pedro Ramos, & Don Sebastian Sanchez Prisoner which contain about fifty Men per Company - - - - - - - - - - - - - - -	150
Two Companies one of Gunners and the other of Horse their Captains are Don Sebastian Lopes & Don Pedro Lamberto deceased & his Lieutenant Prisoner about - -	100
Eight Companies from Spain the Captains whereof are Don Micael Rivas, Don Iluenua Alfaro, Don Juan Durana, Don Juan Isidoro Leon Don Antonio Salgada, Don Manuel Olanto Don Felie Viradias late deceased & Don Alongo Esquirdas which have about fifty Men each Company	400

One

One Company from the Havana Commanded by Don Franio de Estrada about	100
	750
To be deducted about 100 thats in Apalacha & 100 that are Prisoners & dead	200
Regular Troops	550
Militia about	150
Kings Slaves banished for their Crimes about	100
Indians and Negroes the greatest part well disciplined and are promised their Liberty in Case of Success in an Engagement about	200
Six Galleys quantity about thirty Men each	180
Sundry Transient Persons	1180

The foregoing is the most exact Account that can be given p.

me Charles Hicks

N. B. that the Officers are not included in this Account

South Carolina Charles Town

this 4th March 1742/3

Sworn before His Honr. the Lieut Governer in Council 4th March 1742/3

Alexr. Gordon C.C.

A True Copy

Alexr. Gordon C.C.

Recd. May 31st }
Read June 7th } 1743

Recd with Col. Bulls Lettr. dated ye 4th March 1742/3

B P R O South Carolina B T vol 12 G 98.

Charles Town S Carolina March 16th 1742/3

My Lords

Being informed that the Duplicates which I sent to Your Lordships under the care of Colonel Vanderdussen were destroyed when he was taken by the Spaniards. I therefore take this Opportunity to transmit duplicates thereof under the care of Mr John Colleton a Member of His Majestys Council in this Province whose private Affairs call him to Great Britain.

I beg leave to acquaint your Lordships that as Port Royal, which is our Southern Frontier, & the most Commodious Harbour in this Province is capable of receiving His Majestys Ships of forty or fifty Guns: And as I apprehended it would be for his Majestys Service. I have reserved for his Majestys use a Convenient parcel of Land sufficient for the building of Storehouses, a Dock, a careening Wharf, & a Rope Walk in Beaufort Town. That part of this Province abounds in as great Plenty of all Sorts of Timber and Provisions as any other part of this Government in case either should be wanted for his Majestys Service.

I presume further to acquaint your Lordships that by a Letter which I have received from Mr Corbett written

written by the direction of the Lords of the Admiralty, I apprehend this Province has been misrepresented to their Lordships by the Commanders of his Majesty's Ships on this Station, who have on all occasions had the Assistance of this Government in procuring Seamen as well as other Necessaries upon application for the Same to enable them to answer His Majesty's Gracious Intentions to defend this Province and protect the Trade thereof, which will more particulary appear by a Copy of the Minutes of the Proceedings of this Government, relating to the Commanders of his Majesty's Ships which I have now the honour to lay before Your Lordships.

And I further beg leave to acquaint your Lordships that Mr William Sterling, who upon a promise made by this Government that those who would go to the Assistance of Georgia should be returned, went with many others from this Province against the Spaniards in July last, has been detained at Frederica, which has occasioned an Application to me in Council from his Friends, desiring that some Endeavours might be used to procure his Enlargement; in Order to which I apply'd myself to General Oglethorpe & Captain Thompson; Copies of their answers together with the Several Petitions, extracts of Letters & Papers relating to that Affair are humbly Submitted to Your Lordships Consideration. I am with the greatest respect, My Lords,

Your Lordships most Obedient and most humble Servant

The Right Honble the Lords of Trade — Wm Bull

Rec^d May 31st } 1743
Read June 7th }

B P R O. South Carolina B T Vol 12 G97

Charles Town So Carolina March 17th 1742/3

My Lords

Mr Hill who has the honour to be one of his Majestys Council in this Province, has desired leave to be absent, his private Affairs requiring his presence in Great Britain, I have therefore desired him to Attend Your Lordships with this Letter & beg leave to recommend him as a Person well acquainted with the Affairs of Carolina, and able to give Your Lordships a particular Information concerning the same and at the Same time inclose a Copy of the last Advices I have received from Frederica

Our Apprehensions of an Invasion this Spring has induced the General Assembly to engage the Assistance of a thousand Men from North Carolina to be ready to March upon the first Notice of an Invasion. I am with the greatest respect

My Lords

Your Lordships

Most Obedient and

Most humble Servant

The Right Honble the Lords of Trade Wm Bull

(Enclosure)

(Enclosure)

Frederica in Georgia
2nd March 1742/3

Sir

My Master General Oglethorpe, has Ordered me to acquaint you that the Spaniards have drove in the last Body of Indians which he sent to Florida, and are come up with a strong Body to Saint Johns River on their way to Invade this Colony, therefore being resolved to meet them himself, he set out yesterday, and trusts in the Providence of God, that he shall have as good Success, as he had when they last attempted us

I am

Sir

Your most Obedient
humble Servant
Francis Moore

Honble Lieut Governor of South Carolina

I Certify the Above to be a true Copy
Alexr Gordon C.C.

Recd }
Read } May 31st 1743

B. P. R. O. South Carolina B. T. Vol 12 G 110

(19th March 1742/3)

To the Right Honourable the Lords Commissioners for Trade & Plantations.

My Lords

I have herewith transmitted to Your Lordships a Representation made to me by the Inhabitants of the Township of Williamsburgh, and also a Copy of a Petition humbly presented by them to the Lieutenant Governor in Council. I have been strongly sollicited by his Majesty's Subjects in that Township, and also by several other Townships to grant them my aid & assistance in endeavouring to relieve them from the many hardships they Labour under; Which at last prevail'd upon me to use my endeavours to serve them, altho at the same time I had not the least opinion that anything I cou'd do wou'd be attended with success untill those in Office & power are made sensible that if they do not obey the orders of the Crown they must expect to be punished According to the nature of their Default.

I have also in obedience to my Instructions transmitted to Your Lordships a State of the paper Bills of currency. With the Copy of Two Representations laid before the Governor & Council the 16th & 21st of February last

last; That of the 21st is now under consideration of ye Assembly And I hope in time will produce some good Effects.

I have made several attempts to prevail upon the Secretary & Clerk of the Council who Acts by Deputation from him to lay before me such Minutes of Council as I apprehend to be Necessary to prove what I have generally Represented, Which they have denied to do, allegeing they are not obliged to deliver any papers to me without their being paid their Usual Fees for their so doing. But the truth is, they are supported in this proceeding by the Council, as they are sensible that if the Minutes of Council were laid before me, and that I had Copys attested by the Clerk, that I cou'd point out several Defects & partial Entries in the same, particularly in such matters as relate to Gen. Oglethorpe and to the Commanders of his Majestys Ships of War.

My Lords. In my former Representation & also in this Letter I have generally mentioned the Council as the principal Authors of most of the Abuses that have been committed in this Province, And as a piece of Justice to the Governor I cannot omitt Representing that from his Easiness of Temper, and unwillingness to

to disoblige Gentlemen who for many Years past have lived in his Neighbourhood, he has for the most part implicitly followed the advice & Direction of his Council in any matter that came before him

The Governor informed me that if he had any objection to ye Representation laid before him February last that he wou'd serve me with a copy of the same

I am with great Submission
Your Lordships
Most Obedient &
most humble Servant
Henry McCulloh

Charles Town South Carolina
19th March 1742/3

P.S. Mr Hill one of His Majesty's Council goes home under Convoy of the Gibraltar, If your Lordships are pleased to order him to attend You he will Confirm to Your Lordships what I have said in relation to the paper Bills of Currency

Recd June ye 1st } 1743
Read D 21st

B. P. R. O. South Carolina B. T. Vol 12 G111

(Enclosure to Mr. McCulloh's Letter 1742/3) (19th January 1742/3)

To Henry Mc Culloh Esqr.

The Humble Representation of the Inhabitants of the Township of Williamsburgh

Sheweth

That being informed his Majesty has been Graciously pleased to Constitute and appoint you his Commissioner, with full Power to Enquire into all abuses with respect to the Grants of Lands and the Quit-rents payable thereupon and towards preventing and determining all disputes in relation to the Premisses.

We beg leave to Represent, that by his Majesties 43d Instruction to his Governor of this Province there were Eleven Townships sett apart for the Reception of such Protestants as might come and settle in this Province.

That in Consideration of the Encouragement offered us by the Governor and Council and from the certainty we apprehended, we had under his Majesties Royal Instructions to his Governor, to be secured in our Properties, and the remainder of the Township Lands, would remain only for the uses directed by his Majesties Instructions, which would have enabled us to have brought

over

over our friends and relations to settle in our Neighbourhood. We under these encouragements transported ourselves and Families to this Province, and settled in Williamsburgh Township.

But to our Great Concern, we have found the Lands in this Township become a Common unrestrained Range, for all persons whatsoever; the best Land therein taken up by Persons, who have not at this Day settled the same, nor in all probability, ever intended to reside thereon. some of us have been sued for Trespessers on Land pointed out to us by the Deputy Surveyor. and have been Cast in Considerable damages, and others became Tennants, rather than remove their Families

Sometime past we presented our Humble Petition to the Governor and Council setting forth our said Grievances, and praying relief, but we could obtain no answer, we therefore take leave to trouble you with a Copy of the same, wherein the hardships we have labour'd under are enumerated; which we humbly submit to your Consideration.

The River by which we can have any Conveyance of our goods to a Market is rendered difficult in the Navigation, by reason of great Trees which fall therein, and

and which induced the General Assembly at our humble Application to pass a Law for clearing the same. Now the whole burthen of that work falls on us the Residenters, while those who are possessed of Large Tracts of the most Valuable Lands, contribute nothing to it

We have Letters from our Friends in Ireland Acquainting us of their desire of coming here, if we would in any shape encourage them, which we have hitherto declin'd, because of the Lands being run and possessed by others.

We take leave Sir, to assure you, that every Fact alledged, in our said Petition and in this our Humble Representation, shall be Effectually proved, with the addition of many more particulars, when you will please to require it.

We Pray therefore, you will take the Premisses into Consideration, and that You will relieve us from the many Oppressions and hardships we labour under, in relation to our possessions in the said Township of Williamsburgh

And we shall ever pray.

Williamsburgh Township
the 19th day of Jany 1742

Thomas McCree
John Fleming
James Bradley, Alexander Scott, James Scott
John Bradley, William Bradley, Thomas Bradley
Saml

Saml. Bradley,	John Dick,	James Dick,
William Dick,	Geo Burrows;	John Lemon,
Thomas Scott,	Adam Strain.	Robt. Mc. Coughtry,
Patrick Lindsey,	John Watson,	Jno. Mc. Fadding,
William Mc. Cormick,	Abagbel Camblel,	John Anderson Junr.,
Joseph Anderson,	David Witherspoon,	James Mc. Cleland,
James Armstrong,	John Mc. Colloh,	John Blackley,
John Moon,	James Gamble,	James Lawes,
Henry Montgomry,	George Montgomry,	Roger Gordin,
William Presly,	John Mc. Knight,	William Mc. Knight;
John James,	Willm. James,	David Willson.
John Fleming,	Alexr. Mc. Cree,	Thomas Mc. Cree,
John Hamilton,	Robert Mison,	John Scott,
Robert Witherspoons,	John Presly,	John Liviston.
John Dick,	Hugh Mc. Gill.	John Porter.
Robert Willson,	John Mathews,	Gawin Witherspoon,
Roger Gibson,	John Anderson,	John Firun,

Recd. with Mr. Mc. Cullohs
Letter dated ye 19th. March 1742/3

Recd. June ye 1st.
Read Do. 21st. } 1743

B. P. R. O. South Carolina B. T. Vol 12 G112

(Enclosure to Mr McCulloh's Letter 1[illegible]

To the Honble William Bull Esqr Lieutenant Governor and Commander in Chief in and over his Majesty's Province of South Carolina, and to the Members of His Majesty's Honble Council.

The humble petition of the Several Subscribing Persons Inhabitants of Williamsburgh Township, on behalf of themselves and the rest of the Inhabitants of the sd Township.

Sheweth

That your Petitioners, and the rest of the Inhabitants of the sd Township are chiefly Irish Protestants, who came over from their Native Country to this Province at their own expence, to settle in the said Township, encouraged by an Account they received that the Lands in the said Township were for the most part good & fertile, and the same wholy reserved for such distant Protestants, as shou'd come here from Europe to Settle the same, & particularly for Irish Protestants.

That Your Petitioners were informed, and apprehend the Scheme of Settling, as well the sd Township as the other Townships, was strictly enjoyned by

by His Majestys Royal Instructions to his late Excell-
ency Governor Johnson, with a view of encourageing back
Inhabitants who would make no great use of Slaves in
those parts, but that from their own Labour they
might have a competent maintenance, and upon any
occasion be the more ready to unite for ye Publick
Safety: for that the sd Instructions as Your Petitioners
are informed have not been alter'd from their first
frame in that particular since ye Demise of the
sd Governor, but continue still in force as his Majesty's
stated Plan for the Settling the said Townships.

That several of the sd Inhabitants, who first
arrived the sd Township were obliged by the Deputy
Surveyor to settle on Contiguous tracts laid out for
them in Square forms, begining at a certain place there
called the Kings Tree, which your Petitioners thought
at that time to be a great hardship to be debarr'd
from making any choice, and rather so, as the sd Lands
were for the most part unfertile Pine-barren Lands,
and not like to afford any produce or profitt to com-
-pensate ye Trouble of cultivating the same. But as
they were given to understand that the said Deputy
Surveyor was Instructed by the Government to Settle
them in such a manner, and that a Square of Land
Six

six miles round the Township Line was reserved for the further Accommodation of the said Township Inhabitants. The sd Inhabitants proceeded to Improve and Settle the sd Square Tracts, to the best of their Power in hopes of being afterwards better provided out of ye said reserved Lands.

That the second sett of people who arrived in the second Ship to settle the sd Township, were Subject to the same Strictness and hardships, but were nevertheless encouraged with the same hopes of having better Lands in the Parish Line, as well for themselves as for their Relations and Country Men who (they expected) wou'd follow them.

But Your Petitioners cannot but Represent to Your Honrs how greatly they were Disappointed in finding as well the Lands of the sd Township, as of the sd Parish line round the same afterwards become a Common unrestrained Range for other People, all the good Lands of both taken up by Gentlemen residing in other parts of the Province, who were better able to pay Surveyors, and were ready at Charlestown to get their Grants passed for them, so that near sixty families who came last over to settle with their Country Men in ye said Township were greatly disappointed.

many

many of them obliged to Straggle into other parts of the Province, others obliged to become Tennants in the said Townships to Gentlemen who had Lands there Granted them in great Tracts, and others who were Directed by the Township Surveyor to settle with their families in particular places had the misfortune to find their Possessions granted from them, so be-came Subject to Action at Law attended with great expences.

Your Petitioners cannot but further Represent to Your Honours that notwithstanding the many discourage-ments they have laboured under, yet from their National Adherence to each other the said Township still consists of about one hundred and fifty able Male Persons, willing and ready to furnish their Assistance in the Defence of the Province Against any of his Majestys Enemies. But must at the same time humbly desire that the Scheme for Settling them, directed by his Majesty be fulfilled to them, That ye said Township Lands be render'd wholly vacant for ye Township Inhabitants and their Township made a Parish with the Privilege of sending Representatives to Assembly as His Majesty has most Graciously Directed Otherwise most of Your Petitioners must think it Prudent to remove to some other of His

Majestys

Majesty's American Provinces where they may hope to meet with less Danger & more Encouragement.

Your Petitioners take leave to set forth the Names of Several Persons who have Lands Granted to them in the s^d Township, & who reside in other Parts of the Province vizt

George Hunter	Thomas Potts	Elisha Scriven
Mr Ballandine	the Honble John Hammerton Esqr	Capt Whitfield
Capt Cleland		Mrs Blakeway
Revd Mr Baxter	Mr Monk	Mrs Eldrige
Charles Starnes	Bridgett Hughes	John Wilson
Andrew Rutledge Esqr	Saml Portovine	Thos Tarrington
David Hartee	Captain Austin	Capt Atkins
	Doc^t Dale	
	Gibson Clapp	
	Mr Moody	
	Mr Fisher	
	Joh Scott	
	Ann Hargrave, and Many Others.	

Upon a view of which list, your Petitioners have reason to hope Your Hon^rs will take the Premisses into Consideration, and Grant such relief as Your Hon^rs in Your great Wisdom shall think most meet.

And Your Petitioners shall for ever Pray.

Rec^d

Recd. with Mr. McCullohs
Lettr. dated March 19th 1742/3

Recd. June ye 1st } 1743
Read Do. 21st }

B P R O South Carolina B T Vol 12 G 113

(Enclosure to Mr McCulloh's Lr 19 Nov 1742) (26th February 1742/3)

(State of the paper Bills of Currency in South Carolina)

Currancy Stampt in the Year 1731 being all out-standing	£105000. - -
Outstanding of the Orders Call'd Appropriation orders which are to be sunk as soon as paid by the Executors of Alexander Parris late Treasurer deced being due from his Estate about	16000. - -
Borrowed £10500 from the £35010 Orders Stampt for the Defence of this Province by the fund Appropriated for Building Fortifications being all that remains of Sd Orders which is to be re-placed by the Duty on Goods Appropriated for building Fortifications	10500. - -
There is £4936 sunk of the £36508 Orders Stampt to pay the expence of the Expedition against St Augustine the remainder is to be sunk by a Yearly Tax on the Inhabitants of £10250	31572. - -
The £63000 Orders stampt for the relief of Georgia and Defence of this Province all remains un-sunk. There will be used of them for that Service about £43000 which is to be sunk by Taxes	43000. - -
	£ 205072. - -

The

The Moneys appropriated to the use of New
Settlers is Partly let out on Interest & a Part
in the Treasurers hands and amounts to about £ 20000 - .

My Lords

The above is a State the the Provincial Treasurer has deliver'd to me of the several kinds of currancy subsisting in this Province. There is not the least Provision made to Sink the £ 104.000 Outstanding

The £ 16000 said to be in the hands of Alexander Parris's Exrs is partly in the hands of Joseph Wragg One of the Council And other Persons who borrowed the sume for which they neither Account with the Publick or Pay Interest for the Same

The sum of £ 10600 Borrowed by the Publick & apply'd to Different uses to what was intended, is now to be replaced by the fund appropriated for the building of Fortifications, and for the use of New Settlers which I humbly apprehend to be a Wrong application of the sd fund.

The £ 63000 Orders Stampt under the pretence of relieving Georgia and Defence of this Province. of the said sum there was only apply'd the 16th of January last £ 25000. And at this present there is not more apply'd than

than £43000. £20000. Still remaining unissued. The reason offered for issuing those Bills was the necessity the Government was under for an immediate Supply of Money to answer their present expences, But this will appear without foundation when it is considered that most of the Bills were not issued for several Months after the Spaniards left Georgia, and that the Credit of the publick is so very good in this Province that they might borrow any sum they stood in need of Provided they had Taxed themselves for the Discharge of the same. By the last Tax Bill it appears that there are £100000 out at Intrest in this Province, And that the Inhabitants pay Taxes for above 40000 Slaves. I only mention this to Your Lordships in order to shew in what Circumstances they are.

The £20000 Appropriated to the use of New Settlers that part of it which is said to be lent out at Intrest, is diverted to Private uses.

(Enclosure)

Sir

According to your desire shall lay before you the reasons I apprehend of the Rent Roll being in such Confusion

first

first —— Because some Persons have purchased great numbers of Warrants from others, who are gone off the Province, and not Entering Memorials in the Auditors Office when the Property is transferred, the Quit Rent Law not obliging them so to do.

Secondly —— There being but very few Lands settled according to the tenure of their Grants, so that no Distress is to be found, which I have observed in my riding to Collect the Quit Rents in all parts of this Province.

Thirdly —— When some persons dye they leave all their Estate to be sold except their Land and then of course no Quit Rent is paid there being nothing to Distrain.

These I look upon as the greatest causes of the Rent Roll being in such Confusion, and am

Charles Town S. Carolina Sr

Febry the 26th 1742 Yr most Obedt & most Hble Servt

Henry McCulloh Esqr Geo Saxby

Recd June ye 1st } 1743
Read Do 21st }

Recd with Mr McCulloh's Lr dated March 19th 1742/3

B. P. R. O. South Carolina B.T. Vol 12. G 114

(Enclosure to Mr McCulloh's Lr 17 Nov 1743) (11th February 1742/3)

To the Honourable William Bull Esqr Lieut Governor of his Majesty's Province of South Carolina, in Council

His Majesty having been pleased from the reasons set forth in my Commission and the Instructions to which the same relate to appoint a particular Officer as His Majestys Comissioner for Supervising, Inspecting and Comptrolling the Revenues and Grants of Land in this Province giving and Granting unto him full power to examine & enquire into all concealments, delays and abuses with respect to the Grants of Land and the Quit Rents payable thereupon, and also the Inspect into the Registers and Records of this Province with full power to enquire into the present method of passing of Grants of Lands thro' ye several offices in this Province. And to settle & regulate the same in such manner as that His Majesty's Royal intentions declared in his Instructions to his Governor may be most effectually answered, and all abuses therein prevented. And to settle & adjust proper orders & rules to be observed for the more Speedy collecting, receiving & accompting for His Majesty's Quitrents and Detecting & prosecuting any persons concealing or detaining the Same. And His Majesty having been also pleased to charge and command his

his Governor or Commander in Chief, and all his other Officers whatsoever, Ecclesiastical, Civil or Military and all other his loving Subjects in the s.d Province who are or shall be anyways concern'd in any the matters set forth in the s.d Commission, that they respectively at the request of the s.d Commissioner do from time to time not only permit him or such as he shall appoint to Inspect any Accounts Entries or other Papers in their respective Custodys touching or concerning the Premisses or any of them, But that they do also from time to time deliver or cause to be deliver'd to him or such as he shall appoint such attested Copies, notes or extracts thereof as he shall desire by any Writing or Writings under his hand without any charge for the same. And that they be at all times ready and Assistant to the s.d Commissioner in the execution of the Trusts reposed in him. And his Majesty having been also further Graciously pleased by a separate Instruction to his Gov.r or commander in Chief in this Province, to Direct him to take effectual care that no person whatsoever shou'd Insult molest or disturb the s.d Commissioner in the execution of his office and that he shall at all times grant him his Aid & Authority in the execution of the same. It is matter of Surprise that his Majestys Instructions shou'd

shou'd not have had the desired Effect as far as the same related to those in Power & Office under the Crown

The great tenderness and regard that His Majesty has upon all occasions shewn to his Subjects in America With all Submission I most humbly apprehend was a Motive to his Majesty not to grant the Commissioner of Quitrents any Executive Power under the Government of this Province, or entitle him to any Fees, that he might not from any particular motives or Intrest be led from his duty. But at the same time I most humbly conceive it could not be presumed or even thought of that any inconvenience or Delay in the executing his Majesty's orders shou'd arise therefrom or that a due obedience wou'd not have been paid to his Majesty's pleasure signified by the sd Commission.

The power lodged in the Commissioner of the Quitrents cannot operate in Case the Officers of the Crown refuse to do their Duty. And if his Majesty's Governor not only withdraws his protection & Authority in aiding & assisting him, But at the same time Acts in opposition to him, it is in effect suspending him from the exercise of the powers lodged in him under the sd Commission.

The resolutions in Council Your Honour entered into

into the 3d of April 1741, to which I beg leave to refer. And to ye Representation and Declinatory Plea enter'd by me in answer to the same fully evinces the truth of what I have above observed, and at once removed all that Authority and respect that ought to attend upon a Commission of this nature.

The reason that his Majesty has been graciously pleas'd to assign for the appointment of a particular as his Majestys Commissioner for Inspecting & Comptrolling the Revenues & Grants of Land, were, That his Majestys Instructions to his Governor have not hitherto had their Desired Effect, by means whereof his Majestys Officers continue under great Difficultys in ascertaining the Quitrents and that great Disputes and animositys have arisen thereupon, by which means the Revenues are not duly collected, and his Majesty's Subjects in this Province left in a precarious Situation with regard to their Titles to the Lands in their possessions.

The Obstruction given by Your Honour in Continuing the very same method that was formerly practiced in issuing of Grants for Lands, defeats his Majesty's Intentions signifyed by the said Commission When all manner of Credit is removed from the Office it cannot be expected that the Tennants of the Crown will pay

pay the least regard to any Summonses or Notices that may be given in pursuance of his Instructions. And it has had this further ill tendency that almost all the Officers of the Crown have paid little or no regard to the Directions that have been given them by the Commissioner of the Quitrents. And in a more particular manner those who are more immediately attendant upon Your Honours Board. Namely the Secretary and Clerk of the Council. The other Officers of the Crown have used some Decency in the excuses which they have offered for themselves but these Gentlemen have absolutely denied to comply with what has been required of them in pursuance of his Majestys Instructions.

His Majesty by his 19th & 20th Instructions commands me take the most effectual measures that all my Instructions be fully executed, and case of Default in any of the Officers in this Province performing their Duty Agreeable to the nature and Design of the sd Instructions, and the Commission to which the same refers. I am Directed to represent the same unto his Majesty by his Principal Secretarys of State, or by the Right Honourable the Lords Commissioners of the Treasury or the Right Honourable the Lords Commissioners for Trade & Plantations. And I am also further Commanded to send a particular

Account

Account of all my proceedings, and of the State and Condition of the Quitrents & Revenues, and all other the Affairs under my Inspection, together with such observations and Informations as I may humbly conceive to be necessary for his Majestys Service. Therefore in obedience to his Majesty's Commands I shall endeavour with the greatest impartiality and candour to lay before his Majesty a General State of the Grants and Quitrents with such other observations and Informations as I most humbly conceive may be necessary for his Majesty's Service. And that his Majesty may not be misinformed in any of the matters contained in y^r Representation I have laid the principal points upon which I shall form my Report before Your Honour in Council, that if I have err'd in any particular You may give the necessary informations thereupon

His Majesty by his 42^d Instruction to his Governor seems Principally to gaurd against those inconveniences that had formerly arisen in the Grants of Land under the L^ds Proprietors in this Province, and to prevent the like inconveniences for the future, Directs his Governor to take effectual care that no Grants be made to any person but in proportion to their ability to Cultivate the same, and that proper clauses be

be incerted for vacating the s.d Grants on failure of Cultivation or payment of the Quitrents reserved thereon; And as the most probable measure for His Majestys Governor in this particular will be to proportion the Quantity of land to the number of persons & Slaves in the Grantees family, he is Directed not to Grant any person more than fifty Acres for every white or Black man Woman or Child, of which the Grantees family shall consist at the time the Grant shall be made.

The Privilege by which his Majesty's Subjects in this Province are, or were Entitled to Claim Lands under the above Instructions I humbly conceive consists in their having a right to claim such Lands as they had an immediate occasion to Settle & Cultivate, and indeed in this sense it is generally understood in all his Majestys Colonies on the Continent, excepting only where any person imported a considerable number of Foreign Protestants, they are entitled to Lands by right of Importation.

The late Governor Johnson I apprehend did not conceive the Instructions in the manner I have now expressed it, and permitted all persons who had any number of Servants in their family, to Swear to the number of Whites & Blacks then belonging to them which by the practice of this Province entitled them to a Warrant but the

the Warrant when made out, did not Determine the place where the Survey was to begin, nor was there any limited or fixed time for the return of the sd Warrant so that till this day there are many Warrants of 8 & 10 Years Standing that have not been properly returned. And this General Defect has run thro the whole of those Warrants. That the Warrantee was entitled to run out the Lands in such proportions as he thought proper & that in many instances there are grants taken out in part of such Warrants, when at the same time the other parts remain without Any Survey or plat being returnd thereupon. The use that was made of purchase Warrants as they were generally term'd Some Years ago are well known to all the Gentlemen of this Province And that it has occasioned great confusion in the Rent roll, is evident as upon a view thereof it will appear that tho his Majesty's Rent Roll in this Province amounts to about £3000. Sterling ꝑ Annum. it is impossible to find out the present possessors of Land thereby to the amount of half that sum. There is a clause in the Quit rent Law that directs That all mesne conveyances made under Any Propriet-ary Grants, shall be Enroll'd with the Auditor, but there is no Provision made in any of his Majesty's Grants to

to that effect, so that when the Lands are convey'd & assign'd over to others and that there is no improve-ments upon the Lands, which is generally the Case, His Majesty's Receiver in this Province does not know where to apply for the Quitrents, and tho' the original Grantee may be made lyable to the payment of the Quitrents. there are such Quantitys of Land claim'd under purchase Warrants, which were sold and convey'd to others by the Original Warrantees, many of whom are not at present Inhabitants of this Province, that it is impossible by the Rent Roll to find out the persons who claim the said Lands.

Governor Broughton observed the same method in issuing Warrants & Grants for Land, And Your Honour till very lately when you were pleased to make the following variation in ye Warrant Namely, instead of Tracts to use the word Tract, to Describe the Situa-tion of the Lands, and to Limit the return of the plat within 12 Months from the date of the Warrant, but as no variation has been made the form of the Grant, and that this is only in part Complying with His Majestys Instructions signified on that head I most humbly conceive it will not answer the purport and Design of the sd Instructions.

His

His Majesty from his tender regard to the Security & welbeing of this Province was Graciously pleas'd by his 43d Instruction to order & Direct that Eleven Townships shou'd be laid out for the reception of such Protestants as came to settle therein; and that they shou'd be laid out in such manner as to form a Frontier for the inner part of the Settlement. That no persons that were not inhabitants of the said Townships shou'd be at liberty to take up Lands within Six Miles of the Townships, and his Majesty by his 46th Instruction Directed that no person claiming right to take up Lands in this Province by former Grants from the late Lords Proprietors be allowed to take up Lands within Six Miles of the Townships by virtue of such Grants. In pursuance of this order the late Governors Johnson & Broughton invited foreigners to come over to this Province, promising them considerable encouragement upon their Settleing here, these Proposals had their Desired Effect and many Persons Transported themselves thither, and the Gentlemen of the Country chearfully contributed to the raising of money by taxing themselves for the use of the Settlement. Under these pleasing prospects I humbly conceive everything was Obstructed & Defeated by the conduct of the Gentlemen in

power

Power & Office under the Crown. His Majesty's Instructions having been broke in upon by the issuing of Grants to several Persons who had not the least claim or Title to the same. I shall here beg leave to refer my-self to what has been represented to Your Honour by the Inhabitants of the Township of Williamsburgh, and to a Representation which I have lately received from them. Your I admit has not broke in upon his Majesty's Instructions in issuing of Warrants for Lands within the Townships, but in many instances Grants have been issued by Your Honour for Lands within the Townships in pursuance of Warrants that were obtained by surprize which I most humbly conceive to be contrary to His Majesty's intentions in the above recited Instructions for if the Intrest of these Townships were to be so particularly guar-ded as that no person that claim'd Lands in right of Proprietory Grants were to be allowed to take up Lands within six miles of the Townships by Virtue of such Grants, It cannot be presumed that any Person who has obtain'd a Warrant for the Townships Lands contrary to his Majesty's Instructions can be entitled to a Grant in pursuance of the same. I shall in all humble manner Represent to His Majesty that from the Nonobservance of his Majesty's Instructions in issuing of Warrants and Grants

Grants for Land, And also in several other particulars re-ferr'd to in this Representation, that it has prevented the settlement of the Lands, removed that security which this frontier Province might otherwise have had, in a con-siderable Additional number of White settlers, lessen'd his Majestys Revenues, and raised an Opposition to the measures of the Crown, which may be fatal to the very being and existance of the Government itself. The Govern-ment as Constituted in this Province was formerly derived under his Majesty's Letters Patent, and has a necessary Dependance upon the Will & Pleasure of the Crown. Therefore if his Majestys Instructions are not strictly kept up to by his Majestys Governors, and other officers of the Crown, It at once removes all those wholesome Gaurds and Provisions which the Crown has wisely constituted for the well government of this Province And it may have this further ill tendancy that many Warrants & Grants having been issued by surprize, it draws the Subject into a Different intrest from that of the Crown, and naturally raises an Opposition to such measures as his Majesty may be graciously pleased to Direct.

The Gentlemen of this Province are in General Gen-tlemen of Great worth, and have in several particulars shewn a Disposition not only to do his Majesty Justice in

in the Payment of the Quitrents but also in taking the proper measures for the Settlement and Security of this Province, Namely in a Bill which was pass'd in the House of Assembly in 1739. Intitled an Additional Bill to an Act Intitled an Act for the better securing of this Province from Negro insurrections, and for the encourageing of Poor Protestants by imploying them in Plantations, And the ready Concurrence of the late Assembly in agreeing to the heads of a Rent Roll Bill proposed to them, is another instance of their Desire to do the Crown Justice. But the unreasonable opposition that ensued thereupon by those who thought it their intrest to contin-ue the Rent Roll in the Confused State that it now remains, is a strong proof of what I have above observed that Warrants and Grants having been issued by Surprize draws the subject into a different Intrest from that of the Crown.

As I humbly conceive there are several Provincial Acts which principally restrain the Jurisdiction of the Courts of Law. And that there are several other matters which I apprehend may be worthy of consideration as they may appear to be Defects in the Jurisdiction of the Courts here, and insufficient to give those remedies to which His Majesty by the Laws of England is Justly entitled

entitled; I have Desired the Aid & Assistance of His Majestys Chief Justice in drawing up a State of such matters as have come under his Observation, which he has been pleased to comply with, And it may be necessary for Your Information to lay a State of the several matters contained in the Chief Justices reply before Your Honour, I am willing to produce the same if Demanded.

May it please Your Honour

I have endeavoured in the above Representation to Express myself with all the Decency & modesty that the nature of the Subject wou'd permit, and if I have err'd in any particular I hope Your Honour will not impute it to want of Respect.

I am

Your Honours

Most obedient &

Most humble Servt

Charles Town
11th Febry 1742 (Copy) Henry Mc Culloh

Recd June ye 1st }
Read June 21st } 1743

Recd with Mr Mc Cullohs Letter
dated March 19th 1742/3

B. P. R. O. South Carolina B. T. Vol 12 G 115

21st February 1752

To His Honour the Lieutenant Governor in Council

The Humble Representation of Henry McCulloh

Sheweth

That upon examining his Majesty's Rent Roll in this Province there appears to be several Defects in the same which principally arise from there not having been any provision made in the Grants that are immediately Derived under the Crown to oblige the Partys concerned upon any alteration in Property by Mesne conveyances or otherwise to to Enter Memorials thereof with the Deputy Auditor, by which means the rents are not Duly collected, the Receiver not Knowing in whose Possessions the Lands are, and therefore cannot execute the powers given him by the Quitrent Law for collecting the Rents; which defects might easily be remedied by a Clause in the Tax Bill requireing all Persons whatsoever when they give in an Account upon Oath to the Enquirers & collectors of the Quantity of land held by them either in their own right, or the Right of any person Whatsoever that they shall be obliged to give in a particular Account of what lands are held or claim'd in right of Proprietory Grants, And what is held or claim'd by Grants immediately de-
rived

-pived under the Crown, or by Warrants which have not been carried into Execution, and also that they give an Account of the Dates of the s^d Grants with the Quit rents that are payable thereupon.

That as I apprehend it may be much for the ease and Service of his Majesty's subjects in this Province, not to lay the Crown under a necessity to order Prosecutions to be enter'd in a Court of Exchequer, And that the Honourable ye Assembly May have it in their power at this Juncture to Shew a proper Zeal for his Majesty's Service

I therefore most humbly move it to Your Hon^rs that you wou'd be pleased to lay this State of the Quit rents before the Honble the Assembly & recommend the Same to their Consideration

I am with great Submission
Your Honours
most obedient &
most humble Servant
Henry Mc Culloh

Charlestown 21st Feby 1742

(Copy)

Rec^d June ye 1st }
Read D^o 21st } 1743

Rec^d with Mr Mc Culloh's Letter dated March 19th 1742/3

B. P. R. O. South Carolina B. T. Vol 12 G116

(19th March 1742/3)

Thomas Hill Esqr

Sir

I received the favour of Your Letter dated 20th August last. the Difficulties attending the Business of my Office proceeds only from want of support, And that his Majesty's Instructions do not carry the least authority with them. I am more Strongly convinced than ever that if a Court of Exchequer was Established here, and that a few of those in power & Office under the Crown were prosecuted therein, That the Servants of ye Crown wou'd not give the least Opposition to any thing that cou'd in reason be required of them.

I have had the honour of His Majesty's Commission for some Years without my being able as yet to recover one farthing of my Sallary And that wholy owing to my want of power to prevent the Receiver from misapplying the Quit rents.

The insults I have bore from the Officers of the Crown are insupportable to me, and has at last Determin'd me if possible to bring the whole of their proceedings before his Majesty.

The Representations which I have hitherto

sent

sent to the Rt Honble the Lds Commissioners for Trade & Plantations, I humbly hope will not be understood by their Lordships as a Matter of Complaint which has any relation to me in a personal Character But as a Representation of the Several matters under my observation.

I am

Sr

Your most obedient &
most humble Servant
(Mr McCulloh)

Charlestown S Carolina
19th March 1742/3
Recd June ye 1st } 1743
Read Do 21st } 1743

B. P. R. O. South Carolina B. T. Vol 12 G 118

(3rd February 1742/3)

Sir

In Your last Letter of the 23rd of January you are pleased to desire my thoughts on two points viz. The difficulties you are under from the Jurisdiction of the Courts of Law being limited and restrained by particular Provincial Acts. and

The inconvenience that may arise from the Governor and Councils determining matters of Property in the first Instance

As the first of these points fall more immediately under my observation, I shall on this head, give all the light and information in my power

There are, in this Province, only two Courts, now subsisting, that proceed according to the Course of the Common Law, both established by Acts of the general Assembly as I humbly apprehend, in derogation of his Majesties Royal Prerogative. His Majesty being the fountain of Justice, who has the sole right & power of establishing Courts of Judicature throughout all his Dominions, and by such Courts to administer justice to his Subjects; which power, on account of the distance of place his Majesty in some instances has delegated to his Governors

Governors in America, who are to Act with the advice of the Council; but I never conceived that the concurrence of the Assembly or the Representatives of the People were necessary to the Establishment of such Courts.

One of these Courts was established in the Province by Act of Assembly passed 20th Augt 1731 to be holden before the Chief Justice and two or more Assistant Judges, and is impower'd to exercise a Jurisdiction something like that of the Court of Kings Bench in England, in Criminal Cases only; and is stiled the Court of General Sessions of the peace Oyer & Terminer Assize and General Goal Delivery.

The other Court was also established by Act of Assembly passed 5th March 1736 to be holden before the Justices of the Court of Common Pleas, without mentioning the Chief Justice, and is stiled the Court of Common Pleas.

In each of the Acts which establish these Courts there is a restrictive Clause to the Effect following " Provided that the said Acts nor anything "therein Contained shou'd extend or be construed to Extend "to give any Power or Authority to either of the said "Courts to execute or put in force any Statute of Great "Britain wherein the Plantations in America are not

particularly

"particularly & especially named or which do not by the "intent and purview of such Statute extend to the said "Plantations, or which is not Extended or made of force "here by the laws of this Province or which shall "hereafter be extended or made of force."

By An Act passed 12th December ~~1742~~ 1712 for putting in force the several Statutes of England therein particularly mentioned, several English Statutes from Magna Charta to the 8th of Queen Anne particularly enumerated in the sd Act are made of force. The Common law, with some exceptions is also made of force and then there comes a Clause in these words, "That all the "Statute Laws of the Kingdom of England which are not "enumerated & made of force by this Act (such only "excepted which relate to or concern her Majestys Customs "and the Acts of Trade and Navigation are hereby declared "impracticable in this Province."

There is another Act in this Province passed 20th of August 1731 comonly called the Quit Rent Act in which amongst other restraints and encroachments on the Kings Prerogative an Usage is Confirmed Established & continued, for the Chief Justice of the Province to take the renunciation of a Feme Covert to the right of her inheritance or Dower by being only privately

privately examined, in the nature of a Fine, without the Kings Writ or paying the Kings Silver or complying in any other instance with the Ancient Statutes concerning the manner of levying Fines.

By the Act passed 20th Augt 1731 Juries are only provided for the Court of Common Pleas, and the Court of General Sessions established by that Act no Jury can by this Act be summoned or impanelled for any other Court but it may be considered how far it may be done by the Common Law notwithstanding the Negative words which follow in this Act. Tis true the 23d Section of this Act provides for Inquests of office Inquests on forcible Entries & other Special Inquests but they are to be drawn from the Box No 5-6 which contains the names of the Inhabitants of Charles Town only so that no juries can be regularly draw for any other part of the Province since same Clause enacts that no juries (except Coroners Inquests) shall be drawn in any other manner whatsoever. The same Act Section 34 restrains all the Courts of Judicature in the Province from imposing any fine for Contempt by word or Gesture exceeding £10 proclamation money except in cases of striking & using violence.

These are the Provincial Acts which principally restrain

restrain the Jurisdicōn on the Courts of Law, but there are several other matters which I conceive may be worthy of Consideration, as they may appear to be defects in the Jurisdicōn of the Courts here, and insufficient to give those remedies, to which his Majesty by the laws of England is justly entitled.

There are many Statutes not enumerated in the above mentioned but which if they can't be put in practice here, may cause a defect of Justice particularly the Stat de prerogativa regis 17 Ed. 2 the Stat 33 H. 8. Cap 39 the Stat 2 Ed Cap 8. of Offices and many other Statutes which alter explain & enlarge the Common Law.

We have no Court erected in this Province that exercises the jurisdicōn of the Court of Kings Bench or Exchequer in Civil Causes, and I conceive, it to be very obvious that the laws of England cannot be effectually put in Execution in this Province unless Courts are constituted with the same Authoritys as are exercised in England, a fine can be no more levied in the Kings Bench than the Court of Common Pleas can try a Man for felony, some Causes are peculiar to particular Courts. The Kings Bench grants Writs of Mandamus, Fines are levied in the Court of Common Pleas, Informations for intrusions into the Kings lands are

are usually filed in the Court of Exchequer. Extents in Aid and some sort of Commissions are more peculiar to that Court, fines and Amerciaments imposed in other Courts are estreated and sent thither & process issues from thence to levy them & they are there accounted for to the King.

It is true that there is a Court of Chancery in this Province established also by Act of Assembly passed 9th September 1721. in which there is a Clause in these words, "that the said Court shall proceed "adjudge & determine in all Causes brought into the "said Court as near as may be according to the "known laws Customs Statutes & usuages of the King-"dom of Great Britain and also as near as may be "to the known & established rules of his Majesties "high Court of Chancery in South Britain". Notwith-standing a very extensive jurisdiction seems to be given by this Act the Chancery which consists of the Governor & a Majority of the Council for the time subsisting, have only proceeded on the Equity side, no Officers have been appointed on the Plea side or what is properly called the Ordinary Jurisdiction of the Court of Chancery, from whence Commissions in England frequent-ly issue to take inquisitions to inquire and to intitle the

officers

Officers of the Crown to enter into Lands escheated. sometimes these are made returnable into the Court of Exchequer, & proceeded upon there, at other times they are proceeded on in the Court of Chancery and when an issue of fact is joined, go to the Court of Kings Bench to be tryed there From the Plea Side of the Court of Chancery in England also issue writs of Scire facias to repeal the Kings Letters Patents and many other Cases are proceeded on there as well as in the Court of Exchequer which materially concern the prerogative of the Crown But as no such Jurisdiction has ever been exercised in this Province, it is impossible but that a failure of Justice in many Cases must happen.

There is another thing which I shall take the liberty to observe, as it may have a Considerable influence on the Authority of the Courts of Judicature In his Majesties Sign Manual granted to the late Chief Justice who was the first who ever exercised that Office in this Province immediately under the Authority of the Crown. The Governor was authorized to pass Letters Patent under the Seal of this Province to Constitute & appoint him Chief Justice of this Province, with full power & Authority to hold the Supreme Courts of

of Judicature at such places & times as the same may and ought to be holden in this Province.

The late Chief Justice instead of obtaining Letters Patent in pursuance of his Majesties Sign Manual accepted a Commission in the Governors name resisting reciting? the Substance of the words in the Sign Manual but appointing the late Chief Justice to hear & determine all Pleas, Civil & Criminal happening & arising within this Province according to the laws & Statutes of Great Britain and the several Acts of Assembly in this Province.

On the Death of the late Chief Justice his Majesty was most Graciously pleased to appoint me in his room, by his royal Sign Manual conceived in the same words mutatis mutandis as had been granted to the late Chief Justice, but when Letters Patent were order'd to pass for constituting me Chief Justice I represented to his Honour the Lieut Governor, that I thought myself not warrantable to receive any sort of appointment different from the Authority which his Majesty had been pleased to Grant and his Honour was accordingly pleased to order the letters patent to pass in the same words as were signified by the Royal Sign Manual.

I entertained this Scruple from what I had observed

observed in the time of the late Chief Justice, who often found the laws and Statutes of Great Britain in-compatible with the Acts of this Province, which is a difficulty that still remains.

It also occured to me that by his Majesty's authorizing me to hold the Supreme Courts of Judicature, it must be intended the two Common law Courts then in being, which as I have before observed are according to their present Constitution, as they are limited & restrained by the Provincial Acts extremely defective and insufficient to administer Justice in the manner that my Duty to his Majesty obliges me and my own inclination will ever prompt me to do.

I have long hoped that the matters I have now taken the liberty to represent to you as well as many others which I apprehend wou'd contribute greatly to his Majesties Service in America were at some convenient time laid before his Majesty for his Royal Consideration for there are some very material Points (as I conceive) have never been clearly settled, at least in this Province

All Acts of Assembly are made by an Authority derived from the Crown which enables the Governor Council & Assembly to make laws provided they are as near as may be agreable but not repugnant to the Laws of England

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England.

Now sometimes Acts have been made in the Plantations not only Contrary to the Kings Instructions and the Prerogative of the Crown but disagreable or repugnant to the laws of England.

The Question is whether these laws are void when they are first made, or only voidable by his Majesty's Disallowance & may be put in practice till his Majesties Pleasure shall be signified that the same are repealed? and whether the Judges of the Courts when they are given in Evidence or pleaded in Cases depending before them ought to adjudge them ipso facto, void or only voidable, and so to be put in practice 'till they are repealed by his Majesty?.

From whence another Question will arise, whether this repugnancy to the laws of England is to be understood of the Common or Statute law, or of the Common law as altered explained or enlarged by Statutes, and what obligation the Statute law of England has in the Plantations before or after their being peopled and a form of Government established amongst them by an Authority derived from the Crown?

And whether Acts of Assembly which have been confirmed by the Crown can be repealed or altered

by

by subsequent Acts before such subsequent Acts have in like manner the Confirmation of the Crown?

As to the Second point on which you desire my thoughts I can say but little I have of late Years been very little acquainted with the proceedings of the Governour & Council, I have confined myself wholly to what has been my proper Province, the Administration of Justice in the Courts of Common Law.

When his Majesty on the Surrender of the late Lords Proprietors, gave Authority to the Governor and Council to dispose of his lands, I believe they might under Colour of that Authority, undertake to determine some Matters of Property, from Claims made to lands which the Claimants supposed the King had no right to dispose of, as they imagined their titles under old Dormant Patents & other pretences were protected by the Quit rent Act which has been before mentioned, I remember an Instance looking that way, where an application was made to the Governor & Council for the Grant of a Patent, where the Stat 16 Car 1. for taking away the Court of Star Chamber was pleaded to the jurisdiction of the Council, I dont remember the Event of the Case but possibly that & some other instances may be found in the Council Journals.

I

I wou'd by no means omit to give you all the Satisfaction that at present is in my power upon the matters you have proposed, but I hope you'l look upon what is now sent you only as a rough Sketch or delineation far from being compleat, the Jurisdiction of Courts is a very extensive Inquiry, and many things might occur to me which are here omitted, if I had more time and leisure to deliberate, the time of the sitting of the Courts of Justice are very near, and there are matters of consequence depending which concern both the King & the Subject and which require almost my whole attention, but you may depend Sir, that at all times and on all occasions I shall endeavour to bestow my greatest care & application to those things which concern the Kings Service and that I shall be always ready to the utmost of my Ability to exert my endeavours to promote it.

I am

Sir

Your most obedient humble

Servant

Benja Whitaker

Charles Town

8th Febry 1742

Recd with Mr McCulloh's Letter dated 19th March 1742/3

Recd June ye 10th } 1743

Read — 21st } 1743

B.P.R.O. A. & W. I. Vol 19 p 195

(19th March 1742/3)

Extract from Benja Whitakers Esqr his letter to Colonel Vanderdussen dated March 19th 1742/3.

Tho nothing material has occurr'd since your departure I at present can forsee nothing but distraction; Domingo La Croix that Capt Warren took before the Augustine bussiness came here from thence with a Flag of truce and 8 prisoners with a letter from his Governor signifying the Cartel which we had not reced before, this errand affords various conjectures, these Prisoners have been examined by the Council in the absence of the Governor and we hear without Doors that they gave an Account that the Governor of the Havannah is much enrag'd at the late disappointment and that he has represented to his Court the facility of invading these Countrys and has solicited for a sufficient force to renew the Attempt and that he may have the honour to command in person, but we have certain advices from much better hands that they are actually building more Galleys with heavier metal at the Havannah which can be designed for no other service than to invade these Coasts, so that comparing all accounts I think it is to be probable we may have another visit earlier in the Summer than the

the last, Capt. La Croix carry'd with him one of Colonel Cookes new Carriages from St Simons to the Havannah where it is much admir'd and several of the same model are already mounted.

B P R O South Carolina B T Vol 12 G47

(26th March 1743)

To the Right Honourable the Lords Commiss^rs for Trade & Plantations

May it please Your Lordships

Mr Manigault the late Provincial Treasurer having resign'd the Office of Publick Treasurer of this Province George Saxby Esqr His Majesty's Receiver of the Quitrents laid before me a Representation setting forth that if that Office was annexed to his own as Receiver that it wou'd be impossible for the Planters to conceal the Quitrents due by them, As it is directed by the Tax Bill that all persons whatsoever shall be required upon Oath to lay before the Enquirers & Collectors of the General Tax an Account of what Lands are held by them, And the said Enquirers are also obliged to lay a State of the same before the Provincial Treasurer. Therefore he apprehended that if the Rec^r was appointed Treasurer that he wou'd be enabled thereby to Discover the present possessors of Land, upon which I humbly offer'd my opinion to the Governor, & by a Letter which I gave to Mr Saxby to be Deliver'd by him to the Governor, I took leave to remind him of his Majesty's Instructions on that head, & to humbly offer it as my opinion

opinion that it wou'd be for his Majestys Service to appoint his Majestys Receiver Provincial Treasurer; tho' this was a letter of a private nature the Governor thought proper to shew it to the Council, upon which they drew up the two Reports which I have herewith Transmitted Copies of to Your Lordships, and also the Copy of my letter in reply to the Govrs letter to me. The Assembly have at present very favourable Dispositions in relation to the taking of proper measures to promote the Settlement of this Province with white people. To Enquire whether the method taking in granting the Township Lands his not hitherto proved a great Disappointment to His Majestys Royal intent of peopleing the same. And to provide means by some Law for the Discovery of those unjust concealments of his Majesty's Quitrents. The steps in ye Assembly I conceive are not agreeable to many Members of the Council, Therefore I apprehend that their intention by the two Reports I have above Mention'd, is if possible, to break off all manner of Correspondence between the Assembly & me, and to blow up a flame in Representing me to the Assembly, as a person that intends to break in upon their just rights in their having the power to recommend & Nominate the Provincial Treasurer

Treasurer.

The insults & hardships I labour under are insupportable Therefore I most humbly Pray that Your Lordships would be pleased to take the several Matters I have Represented to you under Consideration

I am with great Submission
May it please Your Lordships
Your Lordships
Most Obliged & most
Obedt humble Servt
Henry Mc Culloh

Charlestown So Carolina
25th March 1743

(Enclosure)

In the Council Chamber
Wednesday morning the 23d Day of March 1742
Present

The Honble William Bull Esqr Lieut Govr

The Honble	John Fenwicke	John Colleton	Esqrs
	Joseph Wragg	Edmond Atkin	
	John Hammerton	Charles Pinckney	

His Honr the Lieut Governor communicated to the Board the following Letter he had received this morning from Henry Mc Culloh Esqr vizt

To the Honble Wm Bull Esqr

Sir

Sir

having been informed that Gabriel Manigault Esqr intends to resign the Office of Publick Treasurer. I think it my duty to remind your Honr of his Majesty's pleasure signified to You in relation to the Appointment of a Provincial Treasurer And that I humbly apprehend it will be much for his Majesty's Service that ye Receiver Genl of the Quitrents for the time being have that trust confer'd on him, he giving Security to the Publick for the faithfull Performance of the Trusts thereby reposed in him.

I am

Your Honrs

Most obedt &c

Charles Town 23d March 1742/3 Henry McCulloh

Which being read, His Honr desired the opinion of his Majesty's Council therein, and thereupon his Majesty's Council desired his Honr the Lieut Govr wou'd acquaint the Board Whether his Majesty had been pleased to Signifie to him his Royal pleasure relating to the Appointment of a Provincial Treasurer, And that his Honr wou'd be pleased to lay the same before the Board, as he had Desired their Opinion in regard to the sd Letter of Mr McCulloh.

His

His Hon^r. the Lieu^t Govr. informing the Board he had received no Instructions from his Majesty relating to the Appointment of a Provincial Treasurer

The Board thereupon were of Opinion that M^r. M^c.culloh taking upon himself to know and assert what was his Majesty's pleasure in this particular & refusing the Gov^t. thereto as signified to the Governor when no such matter had been signified to him, was assuming & unbecoming in that Gentleman & that he ought to be called upon to explain the reason of his so Doing

And the Board was further of Opinion that altho' His Majesty had signified his pleasure to the Lieu^t. Governor in relation to the Appointment of a Provincial Treasurer, & M^r. M^c.Culloh had knowledge of the same yet it wou'd have been highly unbecoming him to presume to point out the Lieu^t. Governor's Duty to him.

A true Copy

Alex^r. Gordon C C

(Copy)

(Enclosure)

Charles Town South Carolina 24th. March 1737

Sir

I herewith send you the Copy of a Report of a Committee of Council appointed upon Your Memorial of the 16th of Feb.y and as by that Memorial You are pleased to accuse me of issuing in many Instances Grants for Township Lands upon warrants which had been obtain'd by Surprize, altho' I am con-scious of having always with the utmost Caution endeavour'd to pursue his Majesty's Instructions, You are therefore hereby required to particularize those many Instances You speak of; and also to lay before me Copies of the other Papers mention'd in the s.d Report.

At the same time I inclose to You a Copy of a Minute of Council made upon the reading Your letter to me in relation to y.e appointm.t of a Provincial Treasurer which I laid before his Maj.ty's Council Yesterday, And according to their opinion, as well as in Support of the Authority, which I have the Honour to be invested with as his Majesty's Repre-sentative in this Province, I do also require to know what foundation You have to Assert the knowledge of his Majesty's Pleasure in that particular, and what Authority (in case his Majesty had Instructed me thereupon) you have to remind me of any of my Instructions from his Majesty, or to Dictate to me the

the appointment of any Officer in this Government, I shall add upon this head that in the appointment of every Officer within this Province during my Administration I have wholly Consulted his Majesty's Service, And whenever I am under any Difficulty in such Case, I shall as I always have, ask the opinion & Advice of those Gentlemen whom his Majesty hath been pleased to appoint for that purpose

I am

Sir

Your most humble Servant

To Heny. McCulloh Esqr. Wm. Bull

(Copy)

(Enclosure)

(Copy)

The Committee appointed to take under consideration the Memorial of Henry McCulloh Esqr. of the 16th. Feby last. Report.

That the many arduous Affairs of the Government which were upon the Carpet at the very time of exhibiting the said Memorial and have been ever since particularly the putting the Province in a Posture of Defence and advising & recommending proper

proper measures for this purpose and to Guard against the Designs of his Majesty's Enemies now threatning an Invasion of this Province, Have prevented the committee from proceeding to take the sd Memorial fully into consideration, & as the sd Memorial only concern'd part of his Majesty's rights here they apprehended the consideration thereof ought to be postponed to to the Securing the whole of this part of his Majesty's Dominions, But the Committee having notwithstanding made some Progress upon the said Memorial they find themselves under a necessity to desire Honour the Lieut Governor will be pleased to call upon Mr Mc Culloh for an explanation of that part of his sd Memorial wherein he Says that "I do admit Your Honr has not broke in upon his "Majesty's Instructions in issuing warrants for Lands "within the Townships but in many instances Grants "have been issued by Your Honr for Lands within the "Townships in pursuance of Warrants that were "obtained by Surprize". That he may point out those many Instances he says are to be given of such Grants for the Committee are not apprized of any of them.

And that the sd Gentleman may also lay before his Honr the Representation he hath received from

from the People of Williamsburgh concerning this matter & mention'd in his Memorial, And also the State of the matters relating to the Courts of Justice laid before him by the Chief Justice &ca he says he is ready to lay before Your Honour.

And the Committee will then proceed with all possible dispatch to give the said Memorial a proper Consideration.

A true Copy

Alexr Gordon CC

Council Chamber
Chas Town the 24th March 1742/3

(Enclosure)

To the Honble William Bull Esqr

Sir

I received Your Honrs letter requiring me to particularize these Instances of Township Grants, which I represented to Your Honr were obtain'd by Surprize in which Your Honr may be satisfied by ordering the Secretary or Depy Auditor to lay before you a State of several Grants which you have Signed for the Townships of Williamsburgh & Orangeburgh, and I have herewith sent you a Copy of the Representation made me

me by the People of Williamsburgh & also a Copy of the Chief Justices Letter.

The Letter I did myself the honour to write to you the 23d instant relating to the Office of Treasurer was intended in a very different Sense to what Yr. Honr. seems to conceive it, By my Commission & also by His Majesty's Instructions to which the same relate I am directed to apply to Yr. Honour in such Points as may be necessary for Your Aid & Assistance: and as I apprehended it would much facilitate the Collection of his Majesty's Quitrents that Yr. Honr. shoud confer the Employment of Provincial Treasurer upon his Majesty's Receiver I therefore thought proper to mention my Opinion to Yr. Honour thereupon, But it was far from my intention to be Your Honrs. Dictator to that or any other Office in Your Government.

I must however render thanks to Your Honour for the 2 Reports of the Committee of Council which you were pleased to Communicate to me, & which have fully informed me of those Gentlemens Sentiments of any zeal I Either have had or for the future may shew for his Majesty's Service; I am only concern'd that those weighty considerations which them Gentlemen Employ'd so long for the Security & Defence of this Province against

against his Majestys Enemies at this Conjuncture did not Divert them from charging me with an unbecoming behaviour to Your Honour in the Representation I presented to you. I am notwithstanding fond to hope that their Censures of my proceedings will have no tendency at this time to amuse the Assembly from the good Disposition they shew in many points that must undoubtedly be agreeable to his Majesty. vizt to promote the Settlement of the Province with White People, to Enquire whether the Method taken in Granting the Township Lands has not hitherto proved a great Disappointment to his Majesty's Royal intent of Peopling the same, and to provide means by some Law for the Discovery of those unjust concealments of his Majesty's Quitrents

I am

Your Honrs.

most Obedient &

most hum. Servt.

25th. March 1743 Henry McCulloh

P.S. I beg leave to refer Yr. Honr. to the 1st. part of his Majesty's 17th. Instruction to me which I have inclosed you a Copy of (Copy)

Recd. June ye. 10th. } 1743
Read Do. 21st. }

B. P. R. O. A & W. I. Vol 19 p 199.

(6th May 1743.)

My Lord

The Offices of Surveyor General of the Lands and Inspector and Comptroller of His Majestys Quit Rents in this Province which was by his Majesty confered on James St. John Esqr., by his Death became vacant, I therefore in pursuance of His Majesty's Instructions filled the same by Appointing George Hunter Esqr to Execute that Trust for the time being, and thought proper by the first opportunity to acquaint your Grace therewith.

As this Gentleman has acquitted himself with honour and Integrity in several Places of Trust in this Province, I beg Leave to recommend him to your Grace's favour as a person Capable to serve his Majesty in the said Offices.

I am with the greatest respect

My Lord

Your Graces

most Obedient and

most humble Servant

Wm Bull

Charles Town So. Carolina

the 6th day of May 1743

His Grace the Duke of Newcastle

B P R O A & W I vol 623

(6th May 1748)

My Lord

The Office of Deputy Surveyor and Auditor of His Majesty's Revenues in South Carolina which was by the Right Honourable Horatio Walpole Esqr Conferred on James St John Esqr by his Death became vacant; I therefore in pursuance of His Majestys Instructions filled the same by appointing Alexander Cramahe Esqr to Execute that Trust for the time being

As this Gentleman has acquitted himself with honour and Integrity in several places of Trust in this Province, I beg leave to recommend him to your Graces favour as a person Capable to serve his Majesty as Deputy Auditor in this Province. I am with the greatest Respect

My Lord

Your Grace's

most Obedient and

most humble Servant

Wm Bull

Charles Town S Carolina

the 6th day of May 1748

His Grace the Duke of Newcastle

B P R O A & W I Vol 623

(20th May 1743)

To their Excellencys The Lords Justices

The Representation of the Agents from the Province of South Carolina

Most humbly Sheweth.

That from the Advices which they have just now receiv'd from the Government of that Province and from Particulars, The Inhabitants are in the greatest Apprehension of another and more powerfull Attack from the Spaniards from the Havanah and St Augustine, while at the same time they have Intelligence from the Lieutenant Governor of New York That a Strong Party of Indians Supported by the French are actually gone against the Southern Indians on the back of Carolina and Georgia.

That their Apprehensions are so well grounded That the General Assembly of the Province being called together have come to the most effectual Resolutions for their Defence till such time as the Assistance long expected from his Majesty should arrive.

That in order to Expedite such Assistance the Province has renew'd their Application to his Majesty and have earnestly instructed us to use our utmost Diligence

with

with the Ministry to engage his Majesty to Grant them Assistance without which many of the Inhabitants will undoubtedly leave the Province, some being already gone and many others in Suspence what to do waiting the Event of their Application.

That the Case of that Province being now fully before your Excellencys We earnestly entreat your Excellencys will Speedily determine what Assistance the Province may expect that the Inhabitants may in the meantime be encouraged to defend themselves til its Arrival

And your Petitioners shall ever Pray

Alexr. Vander Dussen
Jo.A. Abercromby
Will Livingstone

B P R O South Carolina B T vol 27 p 73

(31st May 1743)

To His Grace the Duke of Newcastle

My Lord

Having lately received a Letter from William Bull Esqr Lieut Governor of South Carolina dated March 17th 1742/3, relating to his apprehensions of an Invasion this Spring, together with the Copy of a Letter to him from Mr Moore, by order of Genl Oglethorpe. We take Leave to inclose to Your Grace the said Copy with an Extract of so much of the said Letter as relates to that Matter, for Your Grace's Information. We are

My Lord

Your Grace's

most Obedient and

most humble Servants

Monson

M Bladen

R Plumer

B Keene

Whitehall
May 31st 1743

B. P. R. O. South Carolina B. T. Vol. 27 p. 74

(8th June 1743)

To His Grace the Duke of Newcastle

My Lord

Since our Letter to Your Grace dated the 31st of May last concerning the state of South Carolina, We have received one from Mr Bull Lieut Governor of that Province dated the 4th of March last, transmitting several Depositions and other Informations which are come to his hands relating to the Designs of the Spaniards, and take Leave to inclose to Your Grace a Copy of the said Letter, with Extracts of the said Depositions and Informations so far as they relate to this Matter, for Your Grace's Information. We are

My Lord

Your Grace's

most Obedient and

most humble Servants

Whitehall }
June 8th 1743 }

Monson

M. Bladen

R Plumer

B Keene

B. P. R. O. South Carolina B. T. Vol 27. p 75.

(14th July 1743)

To Benjamin Martyn Esqr Secretary to the Honble
The Trustees of Georgia

Sir

My Lords Commissioners for Trade & Plantation having lately received the enclosed Papers from Col. Bull Lieut Govr of South Carolina, have directed me to send them to You, in Order for their being laid before the Honble the Trustees for establishing the Colony of Georgia in America not doubting but they will give such Orders thereon, as are agreeable to Reason & Justice

I am

Sir

Whitehall
July 14th 1743

Your most humble Servt
Thos Hill

PS.

You will please to return the Papers as soon as conveniently may, for We have no Copys of them.

B. P. R. O South Carolina B. T. Vol 27 p 76

(14th July 1743)

To Willm Bull Esqr Lieut Govr of South Carolina

Sir

Since our Letter to You, of the 11th of February last, (a Duplicate whereof has likewise been sent) We have received Yours of the 4th 16th & 17th of March 1742/3 and two more of the 6th of May 1743, together with the Papers transmitted therewith.

We have laid before His Grace the Duke of Newcastle Copies of the Papers and Informations, which were transmitted to Us in Your Letters of the 4th & 17th of March last relating to the Designs of the French & Spaniards and Your apprehensions of an Invasion.

You have done well in reserving (as you inform us you have done by your letter of the 16th of March last) a convenient parcel of Land near Port Royal, in case it should be thought proper hereafter, to build Docks, Storehouses &ca for the use of His Majesty's Vessels of War.

We have transmitted to the Trustees for establish=ing the Colony of Georgia the Papers which you sent us relating to the Confinement of Mr Sterling, and Doubt not but they will give such Orders thereupon as may be

be agreeable to Reason and Justice.

We observe by your Letter of the 6th of May that you have appointed two Persons to Succeed Mr St John; The one as Deputy Surveyor and Auditor, And the other as Surveyor Genl of the Lands and Inspector & Comptroller of His Majesty's Quit Rents.– These Offices are not in our Disposition & therefore you must apply to Mr Walpole, for what relates to the first of them, & to the Treasury for the other. So We bid you heartily farewell, and are

Your very loving Friends
& humble Servants
Monson
M. Bladen
B Keene
R Plumer
Ja Brudenell

Whitehall
July 10th 1723 }

B P R O South Carolina B T Vol 13 H 2.

(19th July 1743)

Sir

I have laid before the Trustees for establishing the Colony of Georgia the Papers, which my Lords Commissioners for Trade and Plantations were pleased to send to them relating to the confinement of Mr William Sterling; for which they have ordered me to return their thanks, as they had not received any Account thereof either from the Government of South Carolina or Mr Sterling himself. After a due consideration of the said Papers, The Trustees have ordered me to return them, and to desire you will acquaint their Lordships that I have sent a Letter by their Direction to the President of the Province and the Assistants (who are vested with the Civil Government) with a positive Order for them to make an immediate Inquiry into the Case of the said William Sterling that if he is confin'd by Virtue of any Process issuing out of any of the Courts of Justice in the Province for any Cause cognizable in those Courts, the particular Court where such Cause ought to be tried, do proceed forthwith to hear and determine the same; And if he is kept in Confinement by Force, that they must take care that the

proper

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proper Magistrates do grant him an Habeas Corpus, and proceed thereupon according to Law.

I am

Sir

Your most Obedt Servt

Benj Martyn

Georgia Office
July 19th 1748

(Thos Hill Esqr)

Recd July 20th } 1748
Read — 21st }

B P R O South Carolina B T Vol 27 p 78

(22nd July 1743)

To Henry McCulloh Esqr Commissr of His Majestys Quit Rents in South & North Carolina

Sir

I answer to Your Letters to the Board, dated as follows, One August 19th 1742, two the 19th and one the 25th of March following, all which have come to hand since mine to You of the 20th of August last, and have been laid before the Board, I am directed by my Lords Commissioners for Trade and Plantations to acknowledge the Receipt of them together with the several Papers therein contained, by which they are sorry to find you still meet with so many difficultys in the execution of your Office, But as my Lords have received Directions from the Lords Commissioners of the Treasury relating to these Matters, they can only advise you to adhere to your Instructions & hope you will receive proper Orders from that Board in due time.

I am likewise to acknowledge the favour of Yours to me of the 19th of March 1742/3, which I communicated to the Board, together with Yours to them of the same date

I am

Sir.

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Sir

Whitehall
July 22d 1743 } Your most humble Servant
T. Hill

B P R O Am W I Vol 623

(24th August 1743)

May it Please your Grace

The Sentiments of the Landed Interest in South Carolina appearing so strong in the Address from Port Royal, after the late Invasion of Georgia. I think nothing can be of more Service to shew the Importance of this Frontier and their united Interest, than herewith sending your Grace a Copy of the said Address. I am with all due Submission

Your Grace's

24th August 1743 most Obedt Servant

His Grace the Duke of Newcastle George Dunbar

(Enclosure)

Port Royal in South Carolina

To His Excellcy James Oglethorpe Esqr Capt General & Commander in Chief over all his Majesty's Forces in Carolina & Georgia & Col of his Majesty's Regiment doing duty at St Simons & Frederica

May it Please Your Excellcy

Wee the Principle Freeholders & Inhabitants of Port Royal Island and the Parts adjacent (for ourselves and

and other Settlers) being the Southern Frontiers of his Majestys Province of South Carolina, Begg leave to Congratulate Your Excell^y on your late wonderfull success under God over Yours & Our Inveterate & babarous enemy the Spaniards who have so lately Invaided your Excell^y in such a numerous Manner to the great Amazement & Terror of all his Majestys Loyal Subjects dwelling in these open & defenceless Parts it is very Certain had they succeeded in their attempts against Your Excell^y they would have entirely destroyed us and laid our land waste & dissolate have filled our habitations with blood and Slaughter and his Majesty would in all probability have lost this fine & Spacious Port of Port Royal where some of the best and largest Ships of the British Nation might harbour securely on any occasion. Wee are very sensible of the Great Protection & Safety we have Enjoyed a long time by Your Excell^y being the Southard of us & Your keeping Your Sloops of War on the Cruize which has Secured our Trade & Fortunes in safety more then all the Ships of War that was ever Stationed in Charles Town but more Especially by your late Resolution in Frustrating the attempts of Our Enemys (tho invaded by so strong a Sea as well as Land Force) as was thought impossible for you to

hold

hold out against, when nothing could have saved us from utter ruin next to the Providence of Almighty God, but Your Excell^cy Singular Conduct & the Bravery of His Majesty's Troops under Your Command whom we think our Duty to Pray God to Protect & send you success in all Your undertakings for His Majestys Service. We assure your Excell^cy not a Man of us but would have willingly ventured our all in support of Your Excell^cy & Your Gallant Troops were we assisted & put into a Condition to have been of Service to You and we always look on our Interest so united to the Collony of Georgia that had Your Excell^cy been cut off, we must have fell in Corse. We humbly Pray Your Excell^cy to accept of this Our Acknowledgements as an Earnest of our hearty Zeal & Affection to Your Excell^cy & His Majestys Troops under Your Command.

Wee are

Beauford Port Royal Island July 29th 1742

Your Excell^cy most Obedient And most humble Servants

Wm Palmer	Eph. Mikell	William Hazzard
Isaac Brabant	Lewis Jones	Richd Stevens
John Evans	Charles Purry	Thomas Wigg
Jonathen Bryan	Jos Butler	Jas Houston
John Mikell	Alexr Moon	And Bell

John Brown

John Brown	Stepn Bell Junr	Phil Givens
Jona Norton	Jos Bryan	Jo Duncan
Allen Machelane	Nathl Henson	Thomas Crotty
Joseph Parmenter	Willm Gillbart	Danl Howard
John Wilson	Isaac Girardeau	Jos. Mikell
Archd Hastings	Jas Roulain Junr	Morgan Ellis
James Watson	Richd Coopers	Josh Morgan
Richd Hazzard	John Forgason	James Williams
Abraham Waight	Thos Grimball	William Sealy
William Finney	James Devereaux	James Girardeau
Philip Martinangeli	John Greedy	John Ferry
Joseph Scott	John Davis	Lancelot Bland
Richd Jenkins	Peter Laffite	Geo. Livingston
Nathanl Barnwell	Hill Wigg	John Barnwell
Ed Wigg	Patrick Poor	Arthur Ball
Joseph Ed Slower	Andrew Deveaux	Joseph Tobias
John Deal		

B P R O. A & W I Vol 19 p 202.

(1743)

May it please Your Grace

As Your Grace has a Principal Share in the Measures to be taken for the Protection of America, and in particular for the Province of South Carolina, I take the Liberty of Pointing out to Your Grace what in my humble Opinion I conceive will greatly promote the good Purposes intended by the establishment of Troops in the Colonys, it is well known to those who have lived in America, how much the Intention of Forces has been perverted, and more so, in the Case of Independant Companys than otherwise, and how Dangerous such a Practise now in time of War, might prove to the Southern Colonys most exposed is obvious; To prevent which and to keep such Forces as near as reasonably may be expected, to their Establishment, I humbly Submit to Your Grace the Necessity of appointing a Person to Muster such Troops, and to this Officer may be assigned the district of Troops Stationed in Carolina Georgia and Providence, to all which Places the Communication is natural and easy; the Service has required such an Officer in Nova Scotia where there is only one Regiment, and with more reason may it be expected, where there are besides a Regiment.

different

different Corps Independant on each other.

This may it please Your Grace, is what has occured to me from Experience in America, and its what I am perswaded may greatly Contribute towards the Service of the Colonys where Troops are necessary.

I have (May it please Your Grace) Served his Majesty near thirteen Years as Attorney and Advocate General in South Carolina, Offices, As the Government of the Province was not then fully settled. Attended with great Trouble Confinement and little Profit, however I still continued to execute these Offices under all Disadvantages, in hopes that after some Years Service Your Grace's Satisfaction, by Your favour and the interposition of my Friends, something more agreable might fall in my way, and this I had expectations of when Lord Cathcart, Seconded by my Lord Monson took my part with Your Grace on the Vacancy of the Chief Justice of that Province.

This Desappointment had not been so great, had I not soon afterwards by the Death of Lord Cathcart lost the first and only Interest I had with Your Grace, Unsupported now, I cannot presume to Claim Your Grace's Favour in any other respect, than so far as what I now propose has a Connection with his Majesty's Service and the Interest the Colonys whose cause I have been Sollicting with

with Your Grace at a very great expence to myself.

If these Motives procure me Your Grace's recommendation to this Office, I shall think myself forever obliged to Your Grace

May it please Your Grace

I am

Your Grace's most obliged and
most obedient Servant

His Grace the Duke of Newcastle — Ja. Abercromby

B. P. R. O. South Carolina B. T. vol 13. H 7

(31st October 1743)

May it please your Lordships

As I have the Honour to be appointed by a Commission from the Honourable William Bull Esqr Lieutenant Governor with advice of his Majestys Honourable Council Surveyor General of his Majestys Lands in this Province; Also Inspector & Controller of the Quit Rents &c as they were held & possessed by James St John Esqr my Predecessor in the said Offices as appears by a Copy of the said Commission herewith enclosed As Mr St John's Instructions required his Corresponding with Your Lordships, In Obedience thereto have sent Your Honours a Copy of a Memorial presented by me to their Honours the Lieutenant Governor & Council as soon as I had reduced the Surveyor Generals Office into better order, to which is annexed their Honours Order printed with a List of Plats then in the Office with some explanatory References (since made) I also transmit to Your Lordships an Account of what Business has been done in the Office for the first six Months, Tho' my dates of some Certificates of Plats are prior to the Returns of said Plats into the Office 'tis only to Plats surveyed in pursuance of my

my Precepts on the Governors Warrant (the Law requiring the Surveyor General to Certify on the same Day the Deputy Surveyor did) the other Plats could not be so certified by me the Deputies Certificate being before I held the Office; The amount of the Fees for six Months being only £146: 6: 6 Current Money equal to £20. 15. – Sterling notwithstanding the Governors Order printed with the List, which shews the present Indifference that People have for Lands if compared with the Business of the Office about ten or twelve Years ago at which time Mr St John's Fees as Surveyor General were about £1000 Ster ꝑ annum which was owing to the Land Office having been shut for many Years before the Arrival of his late Excellency Governor Johnson who granted Warrants for 50 Acres to each in a Family, without any regard to the Quantity they then possessed; whereby some Gentlemen having twelve or fourteen thousand Acres obtained as much more & by a general Infatuation particular to that time every man endeavoured to engross the best Lands some for their Children others to Sell to New Comers expected to arrive here under the Security of the promised flourishing Conditions of Georgia, But alas they were deceived by the present ruefull Condition of

Georgia

Georgia, the small Pox among us one Year, a Malignant Fever another which swept off many Inhabitants without which no Land is valuable) Together with the Fire in Charles Town & the present heavy Tax of 10 Shill ℘ 100 Acres being double to what it was communibus Annis occasioned by our unsuccessfull Expedition against Augustine And as Land upon the Continent cannot be so imposed as upon an Island for the Fertility of the vacant Lands backwards compensates the Disadvantage of its Situation I having been about 400 Miles West north West from Charles Town in the Charokee Nation where the Soil of the Valeys exceeds any in his Majesty's Dominions on the Continent, having viewed all his Majesty's Provinces on the Main of America tho the Mountains are barren, & of late there is a discovery made there of a Silver Mine in the middle Settlements some of the Silver I have seen, & am told that the Ore yields very well.

As Inspector & Controller I send Your Honours a List of Grants passed for Lands & Beaufort Town Lots in the time aforesaid, taken from the Records of the Secretarys Office; Tho the Lots are liable to no Quit Rents, I think proper to insert them, the Tenour being to build a house in Ten Years from the Date

of

of the Grant, & in case of Failure they are to revert to the Crown, Copies of which I made for Mr Cramahe Deputy Auditor and Mr Saxby Receiver General to whom I delivered them, I propose by the first opportunity to send another Copy thereof to Mr Mc Culloh Commissioner who lives some three or four hundred Miles distant in North Carolina.

The Place where Beaufort stands was the Seat of Lord Cardross, who brought over many of his Countrymen to settle on Port Royal Island & Parts adjacent, but were cut off by the Spaniards; At present the Plan of the Town contains about 400 Lots, about one half of that number were granted or surveyed for Grants above twenty Years ago, Since which time that part of the Province has been neglected, by reason of Depredations & Murders committed there by sculking Spaniards & Indians from Augustine; There are now settled in the Town about twenty Familys, & since Capt Ulling's Arrival the Lands thereabouts & Lots in Town are much raised in their Value, & many apply to the Lieutenant Governor for Grants of the Lots not yet granted, believing as I do, that his Report will be that 70 Gun Ships may safely come into that Harbour, & the Country round Port Royal in a few Years may supply 20 of his Majestys

Majestys Ships with Beef at a penny Sterling ℘ pound weight, besides the advantage of Fish, for by stopping small Creeks with a Net at High Water, there are more Fish left at low Water than 200 Men can use

And as from the Offing the Land being very low, the Height of the Trees seems equal & uniform all along this Coast, as Capt Gascoing observed in his Survey (with whom I then had some Acquaintance) a leading Mark for a Direction through the North Channel might easily be made by cutting a Wide Visto thro' French's Island. The labour of falling the Trees & their Worth if appraised would not exceed £ 60 Ster it passing over a Marsh in said Island.

I further beg leave to inform your Honours that this Government has at last obtained Leave from the Creek Indians about a fourtnight ago (thirty of their head men being then in Charles Town) to build a Fort in their Nation, about 500 Miles distant, to which they promised to assist, for the Defence of Our Indian Traders & to prevent the Encroachments of the French who have Forts there already, which is no small Advantage not only to the Indian Trade but to the safety of this Province for from thence we can learn what passes on that Quarter at this critical

critical Juncture.

May it please your Lordships

If your Honours please to Confirm me in the said Offices; with the Sallary thereunto annexed. & an Order from the Honble The Lords of the Treasury on the Receiver General for the arrears since the Date of my Commission, I doubt not but that I shall acquit myself in the Execution thereof to their & your Honours Satisfaction esteeming it an Honour to serve his Majesty. & a Pleasure to serve his Subjects

As my Duty requires my residing in Charles Town & attending at all Office Hours the Fees, and Perquisits by me received being only £ 20. 15 Sterling for six Months, scarce pays my House Rent, Fees and Memorials at the Council Board, Extracts from the Secretary's Office &ca And a Sallary of £ 100 Proclamation Money is often given to merchants Book Keepers in Charles Town. I hope your Lordships will believe what I wrote to be Truth, tho I have not the Honour of being known to your Lordships, Mr Yonge some time ago Surveyor General of this Province Mr Crokatt formerly a Merchant in this Place & Lieutenant Collonel Cook with whom I had some Acquaintance during his short stay in this Town, whose Curiosity I endeavoured to

gratify

gratify with the Plans of Our Fortifications in Charles Town as they stood in June 1742 (then taken by me) while I had the Direction & Superintending their Reparation upon an Alarm of a Spanish Invasion, these Gentlemen can give your Honours some Account of my Probity & Capacity.

Your Lordships Favours shall always be highly esteemed by

Your Lordships
most Obedient humble Servant
George Hunter

So Carolina Charles Town
Octr. 31st 1743

The Right Honble the Lords Commissioners for Trade & Plantations London.

Recd 16th Febry
Read March 6th } 1743/4

B P R O South Carolina B T vol 13 H 8

(Enclosure to H 7)

(29th April 1743)

George the Second by the Grace of God of Great Britain France & Ireland King Defender of the Faith &c

To all to whom these Presents shall come Greeting Whereas we were graciously pleased by our certain Warrant or Commission under the hands of our Trusty & well beloved Subjects Sir Robert Walpole Knight First Commissioner of our Treasury Sir William Yourge Barronet & William Clayton Esqr Commissioners of our said Treasury bearing Date the twentysecond Day of March in the Year of our Lord one thousand seven hundred and thirty to Constitute & appoint James St John Gent to be Surveyor Genl for the Surveying Admeasuring & setting out of Lands in our Province of South Carolina & to Execute & Perform by himself or his sufficient Deputy or Deputies all things whatsoever which belong to the said Office of Surveyor General & to Receive & take all Fees Perquisites Profits & Advantages whatsoever thereunto incident or appertaining And we did did also by our said Warrt or Commn Nominate & appoint the said James St John to be Inspector & Controller of the Quit Rents & other Rents & Revenues arising to us within our Province or Territories afd To Have

Have Hold Exercise & Enjoy as well the said Office
of Surveyor General as the said Office of Inspector
& Controller by himself or his sufficient Deputy or
Deputies for and during our Pleasure And we did
thereby require the said James St. John in the Exe-
cution of the said respective Offices to observe all
such Orders & Instructions as either we or our High
Treasurer or the Commissioners of our Treasury for the
Time being or the Comissioners for Trade & Plantations
for the time being should think fit to order and
direct And for the Encouragement of the said James
St John to Execute the said Offices we did give &
Grant unto him the Sallary of One hundred Pounds
p Annum Proclamation Money to be received by him
from time to Time Quarterly during our Pleasure out
of the said Quit Rents & other our said Rents &
Revenues by the Hands of the Receiver General there-
of for the Time being as in & by our said in part
recited Warrant or Commission Relation being thereunto
had may more fully & at large appear And Whereas
the said James St John hath lately departed this
Life by whose Death the Offices of Surveyor General
of Our Lands in South Carolina & Inspector & Controller
of Our Quit Rents & other Rents & Revenues arising to
us

to us within our said Province is become vacant Know ye Therefore That we Reposing especial Trust & Confidence in the Fidelity Care & Ability of George Hunter of Our Province of South Carolina afd Gent & for diverse other Causes us thereunto moving have Commissionated Nominated & appointed & by these Presents Do Commissionate Nominate & Appoint the said George Hunter to be Surveyor General for the Admeasuring Surveying & Setting out of Lands in Our said Province of South Carolina & also to be Inspector & Controller of our Quit Rents & other Rents & Revenues arising to us within our said Province To Have Hold Execute & Enjoy as well the said Office of Surveyor as the said Office of Inspector & Controller as fully & absolutely to all Intents & Purposes whatsoever as the said James St John in his Lifetime or any other Surveyor & Inspector & Controller heretofore hath done or might, or could have done together with full Power & Authority to Demand Take & Receive all & Singular Fees Profits Allowances & Advantages whatsoever to the said Offices or either of them belonging or in any wise appertaining in as full & ample manner as the said James St John or any other Person exercising the said Offices in our Province afd heretofore did or might have done.

Given under the Great Seal of our said

Province

Province Witness our Trusty & well beloved William Bull Esqr Lieu^t Govr of Our Province afs^d at our Council Chamber in Charles Town in the said Province the twenty ninth Day of April in the sixteenth Year of our Reign in the Year of our Lord one thousand seven hundred & forty three

Wm Bull

(LS)

Copy

Rec^d Feb^ry 16th } 1743/4
Read March ye 1st }

{Rec^d with his Let^r to the Board of 31st Octo^r 1743

B P R O South Carolina B T vol 13 H 9

(23d August 1748)

To The Honourable William Bull Esqr Lieutenant Governor and the Honourable the Members of his Majesty's Honourable Council of South Carolina

The Memorial of George Hunter Surveyor General

Humbly Sheweth

That your Memorialist has submitted to your Honours a List of two hundred & ninety one Plats containing 114 584½ Acres of Land (a Quantity greater than the Island of Barbadoes) surveyed by virtue of Common Warrants. Also a List of one hundred & fifty six Plats containing 61865 Acres of Land surveyd by Township Warrants chiefly at the Expence of this Province, as the Townships were for the Encouragement of New Settlers therein, By which List (wherein the Owners names are alphabetically digested, with the Dates of the Surveys, the County or Township where scituated) it will appear to Your Honours that many Plats have been lodged or left in the Surveyor Generals Office in the year 1731 and in each successive Year to this Present time: whereby the Crown is deprived of the Quit Rent, & the Province of the Tax which would from thence arise, & Inhabitants who have Warrants of Survey prevented from

from using their Warrants on said Lands, believing the said Lands may be already granted, & knowing that the Surveyors are prohibited to Survey any Lands granted or already surveyed. Such Inconveniences (or Frauds if intended by the Owners of such Surveys only to keep them in Reserve for some Years to avoid the Quit Rent & present heavy Tax thereby laying the Burden on the Shoulders of their Neighbours who are fair Tennants to the Crown. Your Memorialist doubts not but that your Honours in your great Wisdom will remedy effectually. Your Memorialist with the greatest Duty & Submission would beg Leave to lay before Your Honours his Opinion therein which is, that if your Honours shall think fit to Order the said List to be published in the Gazette, with Notice to the several Claimers of such Surveys, their Attornies or Heirs, that if they do not take them out of the Surveyor Generals Office in a reasonable time, or there Disclaim them in the said time, the said Surveys should be made void & useless to them for ever. Which forfeited Plats if your Honours think fit to grant to certain Trustees to be by them (by a Warrant from your Honours) conveyed to New Settlers by printed Lease & Release with a Plat annexed, which is conceived would be less expensive to the

Province

Province, than the method practised in setting the New Comers since his Majesty's Purchase of the Government. And least this Hint which is offered with greatest regard & Deference to your Honours Wisdom & Judgment should be thought to proceed from mean and mercenary motives, he his willing to attend & take what Disclaims are given in the time proposed Gratis And for so beneficial a Prospect as the strengthening the Province by the Accession of New Inhabitants, as well as easing the present Inhabitants of some parts of their Taxes — by your Honours Warrant for that Purpose, he shall make Duplicates of such forfeited Plats, & Certify them in the Names of such Trustees, & Chearfully submit to the Reduction of the Fees appointed by Law thereon events one quarter thereof or less or Gratis

Humbly Submitted by
Your Honours
most Humble &
Obedient Servant
George Hunter

Charles Town
Augt 28d 1743

(Copy)

(Inclosure)

Supplement

Supplement to the South Carolina Gazette (Numb 492)

A List of Plats of several Persons, now lying in the Surveyor General's Office.

Owners Names	Acres	County or Township	When survey'd		
Alston John	549	Craven	April	13.	1732
Alston John	301	——	——	14.	——
Avant Caleb	300	——	October	5.	——
Ashby Thomas	400	——	Jan	31.	——
Ash Samuel	1500	——	——	5,	1735
Ash Richard	1250	——	April	30,	1736
Abbot John	250	——	July	9.	——
Avant Benjamin	200	——	March	25,	1737
Avant, Benjamin	200	——	April	23.	——
Ash Margaret	168	——	——	9.	1740
Ash Margaret	32	——	——	——	——
Brown Daniel	300	Craven	May	19,	1732
Blanchard Ira	300	——	Nov	29	——
Beeth Robert	250	Berkley	——	——	——
Beeth Robert	100	——	Jan	11.	——
Beech Joseph	350	Craven	Octob	12,	1733
Bellison Jonathan	85	Colleton	Nov	18,	1734
Badenhop Jesse	100	Williamsburg	Febr	6.	1735
Badenhop Jesse	300	——	——	——	——

Badenhop

Badenhop, Jesse	600	Williamsburg	Febr	1	1735
Brown, Samuel	260	Queenboro	Jan	17.	——
Brunston, Abraham	300	Berkley	Febr	9.	——
Brickles, Richard	550	Craven	May	10.	——
Bonnetheau, John	550	——	August	22.	——
Bulloch, Samuel	100	——	Nov	11.	——
Bulloch, Samuel	750	——	——	——	——
Brunston, Martha	100	——	April	30,	1736
Ball, Bartholomew	300	——	Nov	26.	——
Ball, Bartholomew	400	——	Dec	26.	——
Blake, John	327	——	August	4.	——
Boisseau, James	100	——	July	7.	——
Badenhop, Jesse	200	Berkley	July	29.	——
Bryan, William	100	Kingston	April	15,	1737
Besinger, Jacob	150	New Windsor	June	2.	——
Bate, Esther	700	Queenboro	July	19.	——
Breton, John	550	Craven	Febr	15.	——
Benoist, Peter	259	——	May	6.	——
Baarman, Christoph	350	——	Nov	25,	1742
Bonnet, Jacob	Lot	Beaufort	April	5,	1743
Cattell, William	1050	Colleton	Jan	24,	1731
Christmas, Jon	150	Craven	May	10,	1732
Clifford, Benjamin	450	Colleton	January	11,	1733
Clegg, Samuel	152	Craven	Jan	24.	——

Cordes

Cordes, Isaac	710	Craven	February	13,	1734
Cordes, James	212	Berkley	February	13,	——
Cattell, William	227	——	February	26,	——
Conniers, John	50	Williamsburg	April	16,	1735
Collins, William	150	Craven	June	28,	——
Combe, Philip	150	——	July	1,	——
Cooper Thomas	116	——	Aug	4,	——
Calkins, Jonathan	700	——	October	12,	1736
Croll, William	260	——	December	1,	——
Campbell, Hugh	450	Kingston	February	3,	——
Croft, Abraham	500	——	Nov	15,	1737
Clyat, Robert	350	Craven	May	24,	——
Craige, James	450	Granville	February	6,	——
Clay, William	800	——	October	20,	——
Cook, John	650	Queensboro	May	31,	——
Coyle, Hercules	500	——	July	25,	1737
Cattell, Wm	126	Berkley	June	5,	1738
Cordes, Francis	65	Craven	March	29,	——
Crockat, James	214	——	July	9,	1742
Croft, John	100	Berkley	Jan	7,	——
Croft, John	200	——	——	5,	——
Cox, Nicholas	100	Colleton	Febr	7	——
Dumay, Stephen	200	Craven	July	10,	1732
Dennis, Eleanor	150	Colleton	Aug	15,	1738

Dartford

—	Dantford John	400	Craven	Dec	26,	1734
—	Dews, William	640	Berkley	October	2,	1735
—	Dogget, Elizabeth	300	Amelia	Dec	20,	1736
—	Dunlcomb Nehemiah	250	Queensboro	March	11	—
—	Dyett, Hugh	100	Kingston	Febr	22,	—
—	Deveaux, James	750	Colleton	May	27	—
—	Deveaux, Andrew	600	—	—	6,	—
—	Drake, Samuel	350	Craven	Octob	14,	—
—	Ducat, George	700	—	April	8,	1737
—	Dumons, Isaac	200	—	July	26,	—
—	Debaye, John	200	Queensboro	May	30,	—
—	Dejean, Frederick	600	Purrysburgh	Jan	24,	1738
—	Dannely, Edward	183	Berkley	Febr	20,	1740
—	Dedcott, Elizabeth	40	Colleton	August	10,	1741
—	Ellis, John	73	James Island	October	15,	1733
—	Ellis, Gideon	600	Craven	December	24,	1736
—	Edgar, Samuel	200	Berkley	Jan	22,	1738
—	Early, Thomas	585	Granville	Febr	10,	1740
—	Elliot, Barnard	312	Berkley	April	14,	1741
—	Elliot, Barnard	170	Colleton	—	14,	—
—	Fenwick, John Hon	1500	Colleton	April	11,	1732
—	Farless, Thomas	166	Berkley	July	8,	—
—	Farwell, Thomas	500	Craven	Febr	10,	—
—	Fenwick, John Hon	1000	Colleton	October	2,	1733

Fraser

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—	Fraser, John	550	Craven	March	20,	1735
—	Frogatt, Adin	150	Birkley	Febr	23,	———
—	Freeman, James	200	Kingston	April	15,	1737
—	Flud, William	650	Berkley	October	7,	———
—	Fitch Constant	500	Colleton	April	16,	1739
—	Foissine, Elias	230	Craven	Febr	20,	1740
—	Godfrey, Richard	444	Colleton	Jan	6,	1731
—	Grove, Elizabeth	600	Granville	Febr	18,	———
—	Godfrey, Benjamin	1000	Colleton	March	21,	1732
—	Gasque, John	250	Craven	May	1,	1704
—	Gosling, Robert	50	Amelia	March	8,	1735
—	Goude, Joseph	300	Craven	March	10,	———
—	Golightly, Culcheth	900	Williamsburg	March	18,	———
—	Golightly, Culcheth	100	———	———	———	———
—	Gantler, John	17	Berkley	April	10,	———
—	Goodbee, Alexander	450	Craven	Nov	10,	———
—	Guinard, Gabriel	100	Williamsburg	May	26,	1736
—	Glen, Elizabeth	300	Craven	Nov	30,	———
—	Gibson, Gideon	250	———	April	12,	———
—	Gibson, Gideon	200	———	———	13,	———
—	Gibson, John	300	Berkley	———	2,	———
—	Grace, William	100	Craven	Nov	16,	1737
—	Groom, Thomas	200	Craven	March	14,	1738
—	Gascoyne, William	600	New Windsor	April	21.	———

Godfrey

—	Godfrey, Richard	374	Colleton	April	16.	1739
—	Godfrey, Richard	300	———	———	—	———
—	Godfrey, Richard	355	———	March	26.	———
—	Godfrey, John	950	———	June	19.	1741
—	Harris, Francis	300	Craven	Febr	29.	1731
—	Hows, Job	241	Berkley	March	13.	———
—	Hows, Job	400	———	———	—	———
—	Hows, Job	494	———	———	10.	———
—	Heape, Joseps	110	Colleton	Febr	4.	1732
—	Hinds, John	50	———	April	18.	1733
—	Hawkins, Edmund	500	Craven	Nov.	27.	1734
—	Hughes, Solomon	500	Queenboro'	April	21.	———
—	Hendlin, Elizabeth	500	Craven	May	26.	1735
—	Hendlin, John	400	———	Sept	10.	———
—	Hartley, James	292	———	———	19	———
—	Hill, John	550	Berkley	Dec	17.	1736
—	Handlin Edward	450	Craven	Oct	1.	———
—	Hopkins, Evan	200	Williamsburg	———	3.	———
—	Huntcomb, Aron	494	Craven	———	20.	———
—	Hall, George	350	———	April	22.	———
—	Haywood, Thomas	200	———	Nov	24.	———
—	Heidelbergh, Chris	750	Queenboro'	May	3.	———
—	Hammerton, John	1000	Granville	June	3.	———
—	Henning, Thomas	650	Craven	Aug	3.	1737

Hall

—	Hall, Henry	750	Queenboro	April	15,	1738
—	Hoppe, Peter	200	——	——	——	——
—	Hogg, Thomas	200	New Windsor	April	21,	——
—	Hoskins, John	400	Craven	June	1,	——
—	Heap, Benjamin	59	Colleton	May	21,	1741
—	Jones, Thomas	232	Colleton	June	7th	1732
—	John, Thomas	200	——	Nov	10,	——
—	Jerow, John	300	Craven	March	11,	1735
—	Joyner, Joseph	50	Amelia	Dec	3.	1736
—	Jelfrey, John	200	Kingston	——	4th	1736
—	Jeffreys, David	500	Colleton	June	15,	1739
—	King, Gasper	500	Craven	Dec	17,	1739
—	Lax, John	248	Colleton	Nov	7,	1734
—	Ann Lorey	612	Craven	——	27,	——
—	Liectinstager, Chris	250	New Windsor	June	2,	1737
—	Lorimour, Andrew	326	Berkley	May	10,	——
—	Lorimour, Robert	400	Kingston	August	15,	——
—	Lacy, John	396	Craven	July	11,	1741
—	Lomuet, Lewis	300	——	August	22,	1742
—	Maxwell, Ja Exec	164	Craven	Decemb	1,	1732
—	Maxwell, Jam	600	——	——	——	——
—	Mellichamp, Lawr	268	Colleton	May	3,	1733
—	Mellichamp, Lawr	38	——	——	4th	——
—	Moore, James	460	Craven	August	17,	——

Moore

—	Moore, James	1200	Craven	August	11th	1733
—	McNeir, Charles	325	—	March	4th	1734
—	McElveny, John	450	Williamsburg	August	27	1735
—	McCrery, James	50	Kingston	Febr	1,	1736
—	McCulloch, John	550	—	—	23,	—
—	McDonald, Donald	250	Craven	Sept	12,	—
—	Mathews, James	1000	—	October	29,	—
—	Morrel, Francis	200	—	Jan	17,	—
—	McGuire, Edward	200	Berkley	Sept	20,	—
—	Martin, William	200	Amelia	Febr	7,	—
—	McDowel, Mary	300	Queensboro'	May	25,	1737
—	McNichol, George	239	Berkley	Febr	3,	—
—	McGuire, Edward	200	Berkley	August	22,	—
—	McGuire, Edward	200	—	—	—	—
—	Martin, William	600	Colleton	Jan	8,	1738
—	Mason, Richard	700	Craven	—	9,	—
—	Myers, Frederick	96	—	March	5,	—
—	McKenzie, Kenneth	600	—	April	6	1739
—	Minson, John	100	Orangeburg	Jan	11,	—
—	Newman, William	211	Craven	May	10,	1733
—	Newman, Wm	100	—	—	11,	—
—	Nesmith, John	409	—	October	11,	1736
—	North, Edward	458	Colleton	August	6,	1709
—	North, Edward	442	—	—	8,	—

Nicholas

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—	Nicholas, Stephen	130	Colleton	June	18,	1741
—	O'Dinsell, Charles	77	Colleton	October	13,	1732
—	Ord, Edward	370	Colleton	October	3,	1733
—	Osgood, Thomas	455	Craven	Nov	15,	1737
—	Oborn, John	250	Williamsburg	Febr	21,	1737
—	O'Bryan, Kennedy	400	Granville	June	22,	
—	Orchard, Thomas	399	Colleton	Febr	24,	1738
—	Orchard, Thomas	198	—	—	26,	—
—	Oaks, Joseph	200	Craven	July	2,	1740
—	Palmer, Elizabeth	500	Craven	March	8,	1732
—	Peters, William	115	Colleton	Febr	19,	1733
—	Parker, John	629	—	Octob	27,	—
—	Parker, John	550	—	—	—	—
—	Parnot, Elizabeth	200	Craven	May	4,	1734
—	Peak, Stephen	100	—	August	12,	—
—	Peak, Stephen	200	—	—	—	—
—	Peter, John	80	Colleton	Decemb	17,	—
—	Pedarvis, Joseph	1,100	Craven	December	3,	1735
—	Ditto	1,100	—	—	4,	—
—	Pamor, Thomas	350	—	July	30,	—
—	Peters, Phebe	60	Colleton	June	11,	—
—	Pierolo, Richard	45	Williamsburg	May	27,	1736
—	Port, Joseph	250	Craven	May	5,	1737
—	Port, Joseph	240	—	—	6,	—

Palmer

└──	Palmer, John Col	525	Granville	October 1,	1737
└──	Palmer, John Col	300	———	January 10,	1738
└──	Postell, John	600	Berkley	April 17,	1739
└──	Powell, Thomas	300	———	June 3,	1741
└──	Rutledge, Andrew	1000	Kingston	Septem 2,	1735
└──	Royal, Lawrence	200	Amelia	May 28,	1736
└──	Read, John junior	224	Colleton	July 20	———
└──	Roper, Jeremiah	25	Craven	Septemb 16,	———
└──	Richborough, Claudius	200	Queensboro'	December 20,	———
└──	Rowland, John	300	———	June 2,	1737
└──	Roberts, James	200	Craven	——— 29,	1738
└──	Rothmahler, Job	400	———	April 27	1739
└──	Rattrey, Alexander	500	———	——— 4,	———
└──	Sanders, Wm Capt	780	Berkley		1731
└──	Sanders, Wilson	249	———	January 7,	———
└──	Sullivant, Thomas	164	Colleton	April 16,	1732
└──	Savy, John	200	Craven	May 19,	———
└──	Spencer, Joseph	50	———	October 11,	———
└──	Shell, John	110	Colleton	March 21,	1733
└──	Shingleton, Richard	600	Craven	January 9,	1734
└──	Ditto	600	———	——— 10,	———
└──	Sweny, Miles	500	———	Febr. 10,	———
└──	Sinclair, James	200	———	July 24,	735
└──	Ditto	200	———	July 30,	———

Sanders

Sanders, George	300	Craven	May 24,	1735
Scott, Robert	250	——	October 2,	1736
Sinclair, James	100	——	August 20,	——
Ditto	19½	——	August 21,	——
Ditto	40	——	August 25,	——
Summers, John	500	——	July 5,	——
Sanders, John	200	——	May 12,	——
Ditto	200	——	—— 13,	——
Scott, Robert	300	Queenboro'	October 7,	——
Spencer, John	500	Colleton	September 23,	——
Ditto	300	——	September 25,	——
Ditto	200	——	September 29,	——
Skene, John	1000	Berkley	Dec 16,	1737
Sullivant, Owen	250	Queenboro'	June 16,	——
Sullivant, Thomas	900	Craven	Dec 6,	1738
Sullivant, Cornel	200	Kingston	Dec 8,	1739
Stocks, Thomas	250	Colleton	Nov 2,	1739
Shingleton Richard	400	——	Jan 30,	1740
Spry, Phineas	500	Craven	October 25,	——
Summers, John	150	——	June 10,	1741
Stocks, Thomas	190	Colleton	September 7,	——
Simmons, Benjamin	406	Craven	Dec 4,	1742
Tozier, Solomon	500	Colleton	Jan 26,	1731
Trench, Alex Col	575	Granville	Nov 29,	1733

Thompson

⌊—	Thompson, Wm Jun	650	Craven	Sept	7	1735
⌊—	Thomson, William	400	—	October	14,	1736
⌊—	Thomson, Robert	380	—	Sept	14	—
⌊—	Thomsons John Junr	400	—	Dec	1,	—
⌊—	Taylor, James	500	—	October	15,	—
⌊—	Tilly, James	200	Amelia	April	30,	—
⌊—	Taylor, Thomas	1000	Kingston	October	22,	1737
⌊—	Trott, Nicholas	3100	Craven	Jun	10,	1738
⌊—	Tate, Alexander	200	Amelia	—	16,	1739
⌊—	Wright, Robert x	1200	Berkley	March	24	1731
⌊—	Wells, Charles	807	Craven	August	1,	1734
⌊—	Whiteside, William	522	—	May	1,	—
⌊—	Woolford, Jacob	1050	—	August	16,	—
⌊—	Wright, William	100	—	April	23,	1736
⌊—	Wood, Francis	250	—	May	26,	—
⌊—	Woodward, Samuel	500	—	Dec	5,	—
⌊—	Warnock, Abraham	550	—	March	24,	—
⌊—	Weekly, Thomas	100	Amelia	Oct	27,	—
⌊—	Watkins, William	130	Queenbro'	Jan	30,	—
⌊—	Wilsona, Wilson	1350	—	Sept	4,	1736
⌊—	Wigfall, Samuel	425	Craven	—	11,	—
⌊—	Wallis, John	500	—	Nov	22,	—
⌊—	Waties, Wm Colonel	220	—	April	10,	1738
⌊—	Wood, Henry	225	Colleton	August	11,	1741

Videnie

— Videau, Henry	300	Craven	Nov	25,	1736
— Ditto	300	———	———	——	——
— Ditto	600	———	———	28,	——
— Vereen, Jeremiah	500	———	August	12,	1737
— Visser, William	400	———	June	23,	——
— Ditto	650	———	Nov	21,	——
— Ditto	600	———	April	19,	——
— Vanderhorst, John	400	———	July	31	1739

	Plats	Acres		Plats	Acres		Plats	Acres
A	11	5250	H	25	10120	P	19	7552
B	21	8321	I	6	1482	R	9	3747
C	26	9380	K	1	500	S	33	10728 & half
D	16	5663	L	7	2532	T	11	8008
E	6	1951	M	24	8984	V	15	7931
F	10	5466	N	6	1400	W	8	3750
G	22	9070	O	8	2369		Plats	Acres
							291	114584 & Half

A List of Township Plats (on the Bounty) in the Surveyor General's Office, August 15, 1743.

Queenborough Township

— Thomas James	650	October 3,	1738
— Griffith Jones	300	——— 4,	——
— Griffith John	100	September 1	——

William

	William James	400	September 1, 1738	Thomas Evans	250	Dec	10	1741	
	John Newberry	350	2	Thomas Evans	15		10		
	Henry Oldacre	50	4	Abel Evans	100	Dec	11		
4/326	Hatker Newberry	300	5	John Evans	100	Dec			
	Evan Harry	100	30	Mary Evans	300	Dec	13		
	William Eynon	500	August 23	John Jones	100	Dec			
	James Roger	50	August 26	Jeremiah Rowll	100	Dec	16		
	David James	400	August 27	James Railand	150	Dec	16		149
	Thomas Evans	400	August	Evan Vaughan	100	Dec	17		1202
	Daniel Dousnal	200	August	John Westfield	300	Dec			
	John Jones	200	August 28	Thomas Elleby	200	Dec			
	Samuel Sarance	100	August 29	Simon Parsons	100	Dec	18		
	Richard Barrow	150	August 29	John Carter	100	Dec	22		
	Evan Vaughan	850	August 30	William Evans	50	Dec	23		
4/190	Able James	300	31	Job Edwards	200	Dec	28		
4/196	William Farell	200		Daniel James	350	Dec	6	1742	
	Thomas Walley	50	May 18, 1740	Daniel James	100	Dec	20		
195	Philip James	250	21	John Jones	300	Dec	24		
	Sampson Thomas	400	23	David Harry	125	Dec	23		
	Jacob Buckles	250	24	David Harry	125	Dec	22		
	Peter Kishley	400	June 2	Philip James	100	Dec	27		
	John Evans	200	February 6	Philip Douglass	300	Dec	29		
	John Newberry	100	November 22, 1741	William Carry	300	Dec	31		
	William Farell	100	Dec 9	Mary Evans	200	January	1		201

Walter

Walter Down	200	January	3
Daniel Mallahan	150	———	4,
Thomas Moses	220	———	5,
William Jones	400	———	5.
Nicholas Rogers	250	———	6,
Thomas Evans	100	———	15,
Thomas Evans	125	———	21,
William James	200	———	29.

Townships Orangeburgh

Owners Names	Acres	When	survey'd
Hans Amacher	300	October	3, 1737
John Orly	50	October	4,
Peter Huber	150	October	6,
John Meyer	400	October	8,
Anna Maria Till	250	October	8,
Abr van Bestall	350	October	12,
Henry Snell	350	October	13,
Christian Motte	150	October	20,
Hans Ulrick Diffzendanner	550	October	21,
Barthol. Gaetman	350	October	22,
Dorlinga Gemina	250	February	1,
Sabina Woolfe	200	February	1,
Gideon Goldam	200	February	2,
Margaret Hesse	50	December	12, 1738
Mich Chris Rowe	100	Dec	12,
John Peterly	300	Dec	12,
John Rote	50	Dec	13,
Henry Yoley	50	Dec	13,
John Balziger	50	Dec	13,
Valentine July	400	Dec	16,
George Shower	200	Dec	18,
John Shaumloffal	550	Dec	18,
John Velstein	250	Dec	19,
John Fritchman	200	Dec	20.
Jacob Bruck	460	Dec	20,
Jacob Christaller	100	February	16.
Margaret Magnina	100	February	17,
John Golz	100	February	18,
John Happerdeyel	150	February	19,
Jacob Schuler	400	February	19,
Ursula San	50	February	19,
Adam July	50	June	12, 1739
George Schuler	400	June	12,
Philip Morris	150	June	20,
Gasper Miller	200	July	25,
Isaac Holte	350	July	25,
Martin Schudi	300	July	26,

John

John Geo Hirtch	100	July	26.	
Maria Hanchy	50	January	10.	
Mathias Celer	150	January	10.	
Magdalen Baylay	200	January	11.	
Jacob Leach	50	June	28,	1740
Kilian Jappe	50	Dec	2,	
Anna Barbara Berishbeyer	150	December	2,	
George Stakley	200	December	2,	
Maria Hinderapril	50	December	3,	
Peter Hinderapril	50	December	3,	
Andr. Hinderapril	50	December	3,	
Chris Hinderapril	50	December	3,	
Christiana Franks	100	December	3,	1740
Elizabeth Hesse	50	—	6,	—
Frederick Goods	300	—	—	—
Hans Thomman	100	—	5,	—
Rebecca Rodden	50	—	—	—
Elizabeth Rodden	50	—	—	—
Elias Snell	100	—	6,	—
Peter Roth	1	September	24,	1742

George Burross	100	March	23,	1739
John Watson	150	—	8,	1740
William Orr	300	—	26,	—
John Carrol	300	—	20,	—
John Lemon	300	—	22,	1739

Saxe Gotha

John Stuck	300	September	10,	1737
Henry Scone	50	—	—	—
John Shilley	100	—	12,	—
Ann Maria Stoler	250	—	15,	—
Ulrick Buffer	200	—	—	—
Richard Myrick	350	November	19,	—
Robert Lang	200	—	—	—
William Baker	150	February	8,	—
Jac Hans Stainer	150	May	24,	1739
Jac Haghebucher	100	December	20,	1742
Hans Ul Bachman	150	—	—	—
Thomas Lever	50	—	23,	—
Chris Rehtelsperg	100	—	30,	—

Williamsburgh

John Price	200	May	27,	1737
James Armstrong	250	February	2,	1735

Amelia

William Carmell	200	November	24,	1737
Mary Haggat	100	—	—	—

Peter

Peter Crim	100	September 9. 1738		Daniel Hugnonia	200	May	20. 1739
Atley Maxwell	450	December 15. 1742		Cath Talbourger	200	July	16.
				Frances Delgrass	250		
Kingston				John Jean Henry	100	February	17. 1741
James Smith	200	April 11. 1738		John Amory	500	October	14. 1742
				Rev Hen Chessele	450	November	9. ——
Purrysburgh				John Delagaye	250	February	8. ——
Pierre Molliere	100	September 14. 1736		Louis Quinch	350	——	24. ——
Francis Breton	94	January 16. 1738		Anna Jeanerct	150	March	21. ——
John Pennefather	150	February 2. ——		Henry Abraham & Peter Jeanerct	250	——	—— ——
Marick Burguin	50	May 9. 1739					
George Gerardin	300	—— 16. ——					

Upon perusing and considering the Memorial of George Hunter, Esq. Surveyor General, relating to several Plats of Land returned into and now lying in the Office of the said Surveyor General, and which have remain'd in the said Office for many Years, without any Application from the Persons in whose Names the same are run, to have 'em taken out of the said Office, Whereby other Persons are prevented from taking up the said Lands and becoming Tennants to his Majesty for the same. It is Ordered. That the said List be published in the Gazette, to the Intent that the several Persons Interested in or claiming the

the same, may apply for, and take out the said Plats on or before the 1st Day of January next; And in case of their neglecting so to do, their Failure therein will be taken as a Disclaim of their Rights to the said Lands; and the same Lands shall and may be granted to any other Persons who shall duly apply for the same

I certify the above to be a true Copy
Alex. Gordon, Clerk of the Council

Returned into the Office in Mr St Johns time
Certified by him
So returned & Certified are taken out
Returned in my Time
Certified by me
So Returned & Certified are taken out
Returned to Mr St John & by me Certified
So returned & Certified are taken out
Disclaimed by the Owner

(Then follow Advertisements)

Recd. Febry ye 16th } 1743/4
Read March ye 1st }

Read with Mr Hunter's Lettr to ye Board, of 31st Octobr 1742

(Enclosure to H 7).

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B. P. R. O. South Carolina B T Vol 13 H 11

An Account of the Business in the Surveyor Generals 30th of October 1743 being six Months Vizt

Date of the		Where to be survey'd & Quantity		Quantity Survey'd Owners names and County or Township
Governors Warrant	Sur. Genls Precept			
1738 June 3	1743 May 7	General	4150	550 / 360 } Daniel Laroch Craven
1738 Apl 1	1738 Apl 1	General	1250	150 Elihu Baker Colleton
1737 Sepr 10	1737 Sepr 10	Kingston	200	200 Ja. Smith Kingston
1742 Aug 27	1742 Sepr 1	Orangeburgh	1	1 Petr Roth Orangeburgh
1739 Jany 31	1739 Jany 31	Or Amor S G.	250	250 H. S. Sneyder Saxe Gotha
1740 Jany 28	1740 Jany 28	Saxe Gotha	50	50 H. I. Anis Saxe Gotha
1739 Jany 31	1739 Jany 31	Or Amor S. G.	50	50 Nichs Bonie Saxe Gotha
1742 May 28	1742 May 29	Saxe Gotha	100	100 Heny Lochly Saxe Gotha
1741 May 26	1741 May 27	Saxe Gotha	150	150 Saml Chubb Saxe Gotha
1742 Sepr 5	1742 Sepr 9	Saxe Gotha	100	100 John Trasher Saxe Gotha
1733 Octr 6	1743 May 11	General	1965	Elizo Varaity
1743 May 7	1743 May 11	Special	560	Ja Steward
1743 May 11	1743 May 11	Special	2600	Patk Mackay
1741 Jany 23	1743 Jany 25	Purrysburgh	250	250 H. A. P. Jeanerets Purrysburgh
Do	Do	Do	150	150 Ann Jeaneret Do
1737 Jany 1	1737 Jany 3	2 or Welch Tr	350	350 Danl James Welch Tract
1737 Feby 3	1737 Feby 7	Welch Tract	150	150 James Rowland Do

Office of South Carolina from the 29th of April to the

By whom surveyed & Date of Certificate	When returned into the Office	When Certified by the Sur. Gen.	To whom delivered	Fees £ s d
Thos. Blyth { 8 Sepr. 1743 / 9 Sepr. 1743 }	1743 Sepr. 30	1743 Sepr. 19	Geo Saxby Esqr.	12. 11. 8
Geo Haig Novr. 29 1740	1743 May 9	1743 May 9	Ja Wright Esqr.	3. 15 —
Thos. Blyth Apl. 2 1738	1743 May 11	1743 May 28		4. 3 4
Geo Haig Sepr. 24 1742	Do	Do		2. 10 4
Do Dec 22 1742	Do	1743 June 1	John Dart Esqr.	4. 11. 8
Do Dec 21 1742	Do	Do	Do	2. 18 4
Do Dec 22 1742	Do	Do	Do	2. 18 4
Do Dec 24 1742	Do	Do	Do	3 6 8
Do Dec 22 1742	Do	Do	Do	3. 15 —
Do Janr. 24 1742	Do	1743 June 16	Do	2. 18 6
				— 10 —
				— 10 —
				— 10 —
Hugh Rose Mar 21 1742	1743 May 11	1743 Sepr. 23		4. 11. 8
Do	Do	Do		3. 15. 0
Geo Pawley Dec 11 1742	1743 May 20			
Do Dec 14 1741	Do			

Date of the		Where to be survey'd & Quantity		Quantity survey'd	Owners Names and County or Township	
Governors Warrant	Sur Genls Precept					
1737 Feby 3	1737 Feby 7	Welch Tract	100	100	Danl James	Welch Tract
1739 May 11	1739 May 11	2nd Welch Tr	100	100	John Nasbery	Do
1741 June 27	1741 June 29	Welch Tract	100	100	Phil James	Do
Do	Do	Do	100	100	John Jones	Do
Do	Do	Do	100	100	Abel Evans	Do
Do	Do	Do	300	300	John Westfield	Do
Do	Do	Do	200	200	Wm James	Do
1741 June 30	1741 June 30	Do	250	125 125	Davd Harey	Do
Do	Do	Do	500	300 200	Mary Evans	Do
Do	Do	Do	550	250 75 100 125	Thos Evans	Do
1741 June 27	1741 June 29	Do	100	100	Simon Parsons	Do
Do	Do	Do	100	100	John Carter	Do
1741 June 29	Do June 29	Do	50	50	Wm Hughes	Do
1743 June 9	Do June 9	Saxe Gotha	200	200	Jacob Young	
1742 Decr 1	1742 Decr 1	Special	200 100	200 100	Wm Coram	Berkley
1733 Mar 8	1735 Jany 25	General	300	186	James Crawford	Craven
1738 Octr 21	1743 Augt 9	General	2600		Joseph Wragg Esqr	
1743 Augt 20	1743 Augt 25	Special	1000	_	Jas Maxwell	
1742 Decr 1	1742 Decr 1	Granville	500	600	Jas McPherson	Granville
1742 Jany 27	1743 Sepr 16	Welch Tract	100		Saml Sorency	
1743 Sepr 15	Do	Do	400		John Luke	

By whom survey'd & Date of Certificate	When return'd into the Office	When certified by the Sur Genl	To whom delivered	Fees £ s. d
Geo Pawley Decr 24 1742	1743 May 20			
Do Novr 22 1742	Do			
Do Decr 27 1742	Do			
Do Decr 13 1742	Do			
Do Decr 11 1741	Do			
Do Decr 17 1741	Do			
Do Jany 29 1742	Do			
Do Decr 23 1742	Do			
Do {Decr 13 1741 / Jan 1 1742}	Do			
Do {Decr 10 1741 / Decr 14 1741 / Jany 25 1741 / Jany 28 1741}	Do			
Do Decr 18. 1741	Do			
Do Decr 22 1741	Do			
Do Decr 23 1741	Do			
				— .10. —
Is Porcher Mar 18 1742	1743 July 20	1743 July 21	The Owner	7 10. —
Geo. Haig Apl 1 1740	1743 July 22	1743 July 23	Thos Cocker	4 1. —
				— .10. —
				— .10. —
Wm McPherson Mar 8 1742	1743 Sepr 8	1743 Sepr 23	Ja. McPherson	6. 13. 11
				— .10. —
				— .10. —
				1141

Date of the Governors Warrant	Sur. Genls Precept	Where to be Survey'd & Quantity		Quantity Survey'd Owners Names and County or Township
1741 Jany 21	1741 Jany 30	Amelia	450	450 Alley Maxwell Amelia
1742 Jany 22	1742 Jany 22	Craven	400	400 John Phipps Craven
1734 Decr 7	1734 Decr 7	Queenboro	260	260 Saml Brown Queenboro
1743 Octb 6	1743 Octr 6	Fredericksb	250	Chas Ratcliff
D^o	D^o	D^o	200	Mark Callerton
D^o	D^o	D^o	100	Thos Bryan
1738 Ap^l 7		Orangeburgh	50	50 Marg^t Hesse Orangeburgh
D^o		D^o	100	100 Nich^s Ch^s Rowe D^o
1736 Decr 1	1736 Decr 6	Saxe Gotha	260	260 Ulrick Busser Saxe Gotha
1739 June 16	1739 June 16	Orangeburgh	50	50 Eliz Hesse Orangeburgh
1743 Octr 12	1743 Octr 12	Saxe Gotha	150	John Grangel
1736 Decr 10	1736 Decr 24	General	400	400 Barth^w Ball Craven
1736 Augt 7	1741 Feb 5	Kingston	250	250 Ant^o Green Kingston
1739 Ap^l 16	1739 Ap^l 16	Purrysburgh	450	450 Henry Chiffelle Purrysburgh
1732 Feb 22	1732 Feb 23	D^o	200	200 D Huguenins D^o
1739 June 9	1739 June 9	D^o	100	100 I. F. Henry D^o

By whom surveyed & Date of Certificate	When return'd into the Office	When Certified by the Sur Genl	To whom delivered	Fees £ s d
Geo Haig Decr 15 1742	1742 Jany 21	1743 Sept 23	Mathew Roche	6. 5. —
Antº Williams Feby 16 1742	1743 Sepr 26	1743 Sepr 26	The Owner	5. 16. 8
Alexr Robertson Jany 30 1735	1737 June 24	1743 Sepr 30	George Saxby Esqr	4. 11. 8
				— 11. —
				— 10. —
				— 10. —
Geo Haig Decr 12 1738	1738 Jany 24	1738 Decr 12	Ulrick Busser	
		Dº	Dº	
Geo Haig Sept 15 1737	1738 Janr 5	1743 Octr 12	Dº	4. 11. 8
Dº Decr 4 1740		Dº	Dº	2. 18. 11
				— 10. —
Jas Gillespie Decr 5 1736	1736 Decr 29	1743 Octr 20	The Owner	5. 16. 8
Thos Blyth Apl 28 1742	1743 Octr 21	1743 Octr 21	The Owner	4. 11. 8
Hugh Rose Nov 9 1742	1742 Decr 15	1743 Octr 21	The Owner	6. 5. —
Dº May 20 1739	1742 Janr 28	1743 Octr 21	Mr Chiffelle	4. 3. 11
Dº Feby 7 1740	1742 Decr 15	1743 Octr 21	Mr Chiffelle	3. 6. 8
			carried over	124. 6. 6

A

A List of Warrants issued & executed on Beaufort Town Lots from the 29th of April to the 30th of October 1743.

Numbers	The Date of the Warrant	The Date of the Certificate	Grantees Name	To whom Delivered	Fees paid £ s. d
329	1743 May 14	1743 May 16	John Beswick		
24	1741 May 29	1743 May 23	Stepn Bull	Wm Bull	3. – . –
49	Do	Do	Wm Bull	Do	3. – . –
317, 318, 321, 322	1743 May 14	1743 May 25	Revd Lewis Jones		
166, 167	1743 May 10	1743 May 26	Nicholas Haynes		
171, 172	1743 May 14	1743 May 26	Thos Beswick		
304, 305, 312	1743 May 14	1743 May 26	Eliza Wigg	Abrm Crofts	6. – . –
309	1743 May 14	1743 May 26	Thos Burton	Joseph Moody	3. – . –
347, 351	1743 May 14	1743 May 26	Allen McClean		
348	1743 May 14	1743 May 26	Abrm Dunlop		
320, 323, 328	1743 June 10	1743 June 14	Revd Wm Orr		
307, 308	1743 June 23	1743 June 26	Robt Williams	Hugh Anderson	6. – . –
					21. – . –
				Brought over	124. 6. 6
Currency @ 700	Excha is £		20. 15. – Sterling	Total	145. 6. 6

South Carolina Charles Town, Given under my Hand this 31st of October 1743

George Hunter Surveyor General

Recd Feb 16th }
Read March 6th } 1743/4

{Recd with Mr Hunters letter to the Board, dated ye 31st Octbr 1743}

B P R O South Carolina B T Vol 13 H 8

(Enclosure to H 7)

A List of Grants passed from the 29th of April to the 30th of October 1743 Recorded in the Secretarys Office

Owners Names	No Acres	Township	County	When Granted	
Henry Burguin	100	Orangeburgh		1743 Augt 24	Quit Rent to commence ten years after Date of the Grant
Hugh Rose	400	Purrysburgh		Do	
David Pierre Humber	200	Do		Do	
Hugelt Piash	50	Do		Do	
Edward Keating	300		Berkley	Do	£ . 12 .
Wm Coram	100		Do	Do	. 4 .
Revd Samway	81		Do	Do	. 3 . 3
Culcheth Golightly	81		Collton	Do	. 3 . 3
Wm Sterling	300		Do	Do	. 12 .
Anthy Margotte	200		Granville	Do	. 8 .
Exors of Rothmaler	400		Craven	Do	. 16 .
					£ 3 . 2 . 6
		Lots in	Beaufort		
Stephen Bull	No (24)			Do	To Revert in ten Years if not improved
Wm Bull	No (44)			Do	
Thos Burton	No (309)			Do	
Robt Williams	No (307) (308)			1743 Augt 27	

South Carolina Charles Town

Given under my Hand this 31st of October 1743

George

213

George Hunter

Inspector & Controller of his Majesties Rents &c.

Rec.d Feb.ry ye 16th } 1743/4
Read March ye 6th }

Rec.d with Mr Hunters Letter to the Board dated 31st Octob.r 1743.

B P R O South Carolina B T Vol 27 p 79

(8th November 1743)

To Francis Fane Esqr

Sir

I am commanded by my Lords Commissioners for Trade & Plantations to send you the Ten inclosed Acts passed in the Province of South Carolina in March 1741/2 and in July 1742, and to desire your Opinion thereon in point of Law as soon as conveniently may be. I am

Sir

Your most humble Servt

Thos Hill

An Act for raising & granting to His Majesty the Sum of £38.953 1/3 2 1/4 and for applying the Sum of £8692. 13. 8¼ (being the Surplus of sevl Sums) now lying in the hands of the Treasurer for defraying the Charges of the Governmt for one year commencing the 25th March 1741 inclusive & ending 25th March 1742.

An Act to encourage and induce handicraft Tradesmen and others to settle in Towns & Villages upon the Passes over Rivers and other Places in this Province.

An Act for settling a Ferry on Santee River in the way leading from Charles Town to Williamsburgh and for vesting the said Ferry in Joseph Murray his

Exrs

Ex^rs Administrators for the Term of seven Years and to enable the Commiss^rs of the Publick Road near the said Ferry to lay out make and keep in Repair a Road on each side of the said River leading towards the said Ferry &ca &ca

An Act for raising a publick of Gunpowder for the Defence of this Province of So Carolina.

An Act for rendering and making more easy the office of a Constable and less expensive to the Persons appointed.

An Act for building a Bridge over Camba River

An Additional Act to an Act Entituled An Act for the better regulating Taverns & Punch Houses

An Act to revive and continue the several Acts therein mentioned and to oblige the Commanders of the Watch in Charles Town to do equal Duty and for settling their Salarys.

An Act to enable Geo Pawley, Daniel Laroche & William Whiteside Esq^rs Commissioners appointed for building a Church, a Parsonage House in George Town to carry on and compleat the same and for repealing Part of an Act Entituled An Act to repeal An Act for appointing a Chapel at Echaw &c &c

An

An Act for the immediate Relief of the Colony of Georgia, and for the Defence of this Province.

B. P. R. O. Am W. I. Vol 19 p 215

Charlestown Novemb.r 22. 1748

My Lord

Upon the first notice which I had of a Cartels being settled between his Majesty and the King of Spain for the Exchange of Prisoners I thought it my Duty to persue such measures as might procure the Liberty of many of his Majestys Subjects who were detained Prisoners among the Spaniards; and beg leave to lay before Your Grace a Copy of the Minutes of Council with my Letters & the answers, which contain a full & particular account of my Proceedings therein, as well as what was done in relation to the silver mine said to be discovered in the Lands possest by the Cherokee Indians, concerning which I have now the honor to transmit to Your Grace an humble Representation from the Assembly of this Province to his Majesty, according to their Desire.

At the same time I take the Liberty to lay before Your Grace a Copy of the Minutes of Council & my proceedings in relation to some persons, who, when they were sent with Spanish Prisoners to be exchanged, took that opportunity of supplying his Majesty's Enemies with Negroes, Provisions & Cloaths. And I have sufficient Reason to believe that a further supply of Provisions has been

been sent to Saint Augustine secretly in one of our Coasting Boats. And I humbly conceive such Practices to be a growing Evil, & may be attended with pernicious consequences, there being no authority to punish such offences here, which are committed out of this Province. I beg leave to observe to Your Grace that sufficient Proof might be had if the matter was cognizable in the Courts of this Province; But that there is a great Difficulty that attends the sending a sufficient proof to Great Britain as there are Doubts how far a free Subject can by any Power in this Province be compelled to go to England & give Evidence in such Cases, which is humbly submitted to Your Grace's Consideration.

I am with the greatest Respect
My Lord
Your Grace's
most obedient
& most humble Servant

To his Grace the Duke of Newcastle — Wm Bull

B P R O A & W I vol 19 p 216

(26th December 1743)

My Lord

After a tedious passage of eleven weeks I arrived in this Province, on the Seventeenth of this month, and the same day, His Majestys Commission appointing me Governor, was published with the usual Solemnity. I should not presume to trespass upon Your Grace's time (allways employed in the Service of the Publick) in mentioning the many civilitys shewn me here, but as I interpret them all to be marks of respect to the Kings Commission, I should think it blameable in me to conceal them. Never were people more united in a Just and true sense of his Majestys Gracious Goodness to them, Never did people more strongly express their grate-full and dutifull acknowledgements for His care of them; In this temper do I find this Province, and it shall be my study to preserve in it the same Zeal and principles of Loyalty.

The day before I landed, the Assembly had obtain'd permission from the Lieut Govr to adjourn to the tenth of January, and as most of the Members are gone out of Town for the Christmas holydays, I Judged it most proper to let that time elapse, and then to meet

meet them at the period to which they were adjourned.

I shall punctually acquaint Your Grace with all the Occurrences of this Country, scrupulously adhering to truth, and affirming nothing for certain but what consists with my own knowledge.

By His Majestys Instructions, I am directed to correspond with the Board of Trade, I shall therefore regularly transmit to them the same accounts that I do to Your Grace.

I am with the greatest respect
My Lord Duke
Your Graces
most obedient and
most humble Servant
James Glen

Charles Town S^o Carolina
Decr. 21th 1743
His Grace The Duke of Newcastle

Copy to the Lords of Trade
Rec^d. March 30 } 1744
Read April 25 }
[illegible] B. T. So. Car. Vol 13. H. 13.

1744

B. P. R. O. Journals B. T. Vol 52

Whitehall 26th January 1744

At a Meeting of his Majestys Commrs. for Trade & Plantations

Present

Lord Monson

Col. Bladen, Mr Plumer, Mr Keene

Read a Caveat from Mr Martyn Secretary to the Trustees for Establishing the Colony of Georgia, dated the 23d of Janry 1743/4 against a Petition to His Majesty for a Grant of a Silver Mine said to be discovered in South Carolina, which the said Trustees apprehend if there is such a Mine, it is within the Province of Georgia, and desire that no Grant of any such Mine be passed, without previous Notice thereof given to the said Trustees, that they may be heard thereupon.

. . . .

28th February 1744

Read a Letter from Col. Bull Lieut Governor of South Carolina to the Board dated Charles Town Novr. 22d 1743 complaining of an illegal Trade carried on with the Spaniards, and of ye want of a proper authority there to punish such Crimes; transmitting likewise the following Publick Papers vizt.

Extract from the Minutes of Council with regard to

to the Exchange of Prisoners, as also what regards the Commanders of his Majesty's Ships of War, on this Station from the 25th of Janry 1742, to the 17th day of August 1743, and also relating to a Treasonable Correspondence with his Majesty's Enemys at St Augustine

An Account of the Duties on Goods and Merchandizes Imported from the 29th September 1741 to the 25th March 1743

Order'd that an Extract be made of so much of the said Letter as relates to the Illegal Trade, and the Draught of a Letter prepared for transmitting the same to His Grace the Duke of Newcastle.

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29th February 1744

The Draught of a Letter to His Grace the Duke of Newcastle, for transmitting an Extract of Col: Bulls Letter, mentioned in yesterday's Minutes, was laid before the Board, & being agreed to, was transcrib'd & Sign'd.

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6th March 1744

Read a Letter from Mr George Hunter, Surveyor General of His Majesty's Lands in South Carolina, & Inspector & Comptroller of the Quit Rents &ca, dated at Charles Town, the 31st of October 1743 enclosing the following

following Papers vizt

His Majesty's Commission appointing Mr George Hunter, Surveyor General of His Majesty's Lands in South Carolina, also Inspector & Comptroller of the Quit Rents &^ca in that Province Dated the 29th of April 1743.

Memorial of Mr Hunter Surveyor General to Col^o Bull Lieu^t Governor and to the Council of South Carolina, dated at Charles Town Augt the 23^d 1743 for vacating the old Surveys of Land not taken up by the Claimants.

An Account of the Business done in the Surveyor Generals Office of South Carolina from the 29th of April to the 30th Octr 1743.

List of Grants Passed in South Carolina from the 29th of April to the 30th of Octr 1743 Recorded in the Secretarys Office.

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25th April 1744

Read a Letter from Mr Glen Govr of S^o Carolina the first dated Charles Town Decem^r 26th 1743 signifying his arrival there and publishing his Majestys Commission with the usual Solemnity — The other of the 6th of Febry 1743/4 giving some Account of the State of the Province and transmitting the following Papers,

M^r

Mr Glen's Speech to the Council and Assembly of S Carolina as also their addresses to him in answer thereunto, dated in Janry 1743/4.

Journal of Council in Assembly from the 11th of May 1742 to the 11th of Febry 1742/3.

Nine Acts passed at South Carolina in May 1743.

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22nd May 1744

Read a Letter from Mr Glen Governor of South Carolina, to the Board, dated at Charles Town March 12th 1743/4 giving an Account of the Loss of the Loo Man of War & of the bad Consequences from it to the Town of Beaufort &c & transmitting some Paragraphs of intercepted Letters from the Havanna to the Governor of St Augustine mentioning a design of the Spaniards on some of the British Plantations.

Order'd that the Secretary send an Extract of as much of the said Letter as relates to the Loo Man of War to Mr Corbet Secretary of the Admiralty.

Order'd that the Secretary prepare the Draught of a Letter, in answer to this and two others received from Mr Glen, since his arrival at his Government.

\+ + + + + + + +

23rd May 1744

The

The Draught of a Letter to Mr Glen Governor of South Carolina, in answer to three received from him since his arrival at his Government was laid before the Board agreed to, & ordered to be transcribed.

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30th May 1744

The Draught of a Letter to Mr Glen, having been transcribed as ordered by the Minutes of the 23d inst was laid before the Board, and Signd.

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27th June 1744

Read an Order of the Lds of the Committee of Council, dated the 24th April 1744 referring to this Board the Address and Petition of the Assembly of South Carolina to His Majesty, in relation to a Mine lately discovered in one of the Indian Nations in the said Province; and setting forth that a few private Persons for the sake of gain have possessed themselves thereof & have begun & continue to work in the same contrary to the Laws of Great Britain and that Province and praying His Majesty to take the same into Consideration & order and determine therein as to His Majesty shall seem proper.

Read an Order of the Lords of the Committee of

of Council, dated the 19th June 1744 referring to this Board the Petition of James Maxwell & Cornelius Doharty of South Carolina Indian Traders in behalf of themselves and others, Inhabitants of the said Province, praying His Majesty's Confirmation of a Grant of about 30,000 Acres of Land bought by the Petitioners of the Cherokee Indians.

Read an Order of the Lords of the Committee of Council of the 19th inst. referring to this Board the Petition of the Trustees for Establishing the Colony of Georgia in America to His Majesty praying that they may be heard before any Grant be made to James Maxwell & Cornelius Doharty, Carolina Indian Traders of a Tract of Land purchased by them of the Cherokee Indians wherein they have lately discovered some appearances of a Mine.

Order'd that the Secretary write to Mr Fury, Agent of the Province of South Carolina, as likewise to Mr Morley Agent for the Petitioners, Messieurs James Maxwell & Cornelius Doharty & to Benjamin Martyn Esqr. Secretary to the Trustees for Georgia, to acquaint them that the Board desire their attendance here this day Sennight in order to have some discourse with them on the Subject of the abovemention'd References.

27th

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27th June 1744

Mr Fury, Agent for S Carolina attending, moved the Board to Report to His Majesty for Confirmation of an Act passed in South Carolina May 7th 1743 Entituled An Act to ascertain and regulate Publick Officer's Fees and to repeal An Act of the General Assembly of the Province, Entituled an Act for Publick Officers Fees.

Order'd that the said Act with others transmitted at the same time from South Carolina be sent to Mr Fane, for his Opinion thereon in point of Law, & that he be desired to give them all convenient dispatch & particularly the abovementioned Act.

* * * * * * * *

4th July 1744

Mr George Morley, Agent for the Petitioners, James Maxwell and Cornelius Doherty; as likewise Mr Furye Agent for the Province of South Carolina, and Mr Harman Verelst, for Mr Benjamin Martyn, Secretary to the Trustees of Georgia attending as desired by the Minutes of the 27th ulto. Mr Morley acquainted the Board that he was not sufficiently instructed by his Constituents Messrs Maxwell & Doharty; Whereupon their Lordships deferr'd the further consideration of that matter till fresh application shall

shall be made.

. . . .

27th. September 1744

Read a Letter from Mr George Hunter Surveyor General of His Majesty's Lands in South Carolina also Inspector & Comptroller of the Quit Rents &a dated at Charles Town the 11th of June 1744 with a Postcript the 30th Ditto Transmitting the following Papers vizt

An Account of the Business done in the Surveyor Generals Office of South Carolina, from the 29th of October 1743, to the 30th of April 1744.

Lists of Grants passed in South Carolina since the 11th of April 1743 to the 30th of April 1744 Recorded in the Secretarys Office.

. . . .

11th October 1744

Read a Letter from Mr Glen, Governor of South Carolina, dated Charles Town July 2d 1744, transmitting his Speech to the Council & Assembly together with the following Papers vizt

The Declaration of Bartholomew Aridevei, a Native of Toulon & of Juanez Meregildo de Pino of Cadiz, taken before Capt Horton at Frederica in Georgia, the 9th of June 1744.

Declaration

Declaration of John Borneau & of Antonio Messina taken before Capt. Horton in Frederica June 9th 1744.

Copies of the Affidavits of David Marshall & Capt. John Webster taken June 25th 1744, before his Excellency the Governor of South Carolina.

Minutes of Council from the 15th of March 1741/2 to the 19th of Feby 1742/3. & from the 21st of Feby 1742/3 to the 16th of Decr 1743.

Minutes of Council in Assembly from the 18th of Feby 1742/3 to the 16th of Decr 1743.

. . . .

24th October 1744

Read a Letter from Mr Whitaker, Chief Justice of South Carolina, to the Board, dated there the 26th of June 1744, transmitting the Copy of An Act lately passed in that Province to remedy some Defects in his Majesty's Rent Roll &ca together with the several following Papers relating to that Subject. Vizt

No 1. Henry Mc Culloh Esqr Commissr of His Majesty's Quit Rents &ca his first Letter to Mr Whitaker, Chief Justice of South Carolina, dated 20th January 1742/3

2. Mr Whitakers Answer to Mr Mc Culloh's first Letter. This dated 21st January 1742/3.

3. Copy of Mr Mc Cullohs Letter to Mr Whitaker, 25th

23d January 1742/3.

4 Substance of a Letter wrote by Mr Whitaker Chief Justice of South Carolina, in answer to Mr McCulloh's Letter of the 23d January 1742/3.

5 Proceedings in the Assembly on the Memorial of Henry McCulloh's Esqr laid before the Lieut Governor and by the Lieut Govr sent to the Assembly, and upon Mr McCulloh's Letter to Mr Whitaker, Speaker of the Assembly and by him Communicated to the House

6. The Report of the Committee of the Assembly appointed to consider of the most effectual Measures to bring white Persons into this Province to increase our Strength; to whom Mr McCullohs Letter to the Speaker was referred.

A. Mr Champneys Deputy Secretary, his Letter to Mr Whitaker, 30 May 1744

B. Copy of Governor Johnson's Proclamation, dated 4th Novr 1731.

BB. The usual Form of a Grant of His Majesty's Lands in South Carolina.

C. The Receiver Generals Letter dated Charles Town 13th June 1744

Copy of an Act to remedy some Defects in His

His Majesty's Rent Roll &c.

Observations on An Act to remedy some Defects in his Majty's Rent Roll &c.

Archdale's Act, March 1695-6 with some Queries upon it

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7th November 1744

Read a Letter from the Duke of Newcastle, dated Octr 26th 1744, transmitting for the Information & Direction of the Board, a printed Copy of the Grant & Release from His Majesty under the Great Seal of this Kingdom, of One Eighth part of Carolina to the Lord Carteret (Now Earl of Granville) as also of the Surrender of seven Eighth Parts of Carolina from the Earl of Granville to His Majesty.

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21st November 1744

The Secretary laid before the Board, the nineteen following Copies of Orders of Council, lately transmitted from the Council office, & the Titles thereof were read vizt

\+ + + + + + + +

Order of Council, dated 9th of May 1744, directing a Grant to pass the Great Seal of, one Tract of Land on the North side of Carolina to the Lord Carteret,

in

in full for his Eighth part of South & North Carolina

. . . .

Order of Council, dated the 19th of July 1744, for raising three Independent Companies in America for the Defence of South Carolina, & to be under the direction of the Governor & Council of that Province.

. . . .

22nd November 1744

Read a Letter from Mr Glen Governor of South Carolina to the Board, dated at Charles Town Septr 22d 1744, transmitting several publick Papers vizt

Minutes of Council from the 15th of March 1741/2, to the 19th of Febry 1742/3.

Minutes of Council from the 21st of Febry 1742/3, to the 16th of Decr 1743.

Journal of the Assembly from the 4th of Octr 1743, to the 27th of Febry 1743/4

Seventeen Acts passed in May 1744

Order'd that the said Acts be sent to Mr Lane, for his Opinion thereon in point of Law

. . . .

B. P. R. O. So Carolina B. T. Vol. 13. H. 3.

(23 Jan 1743/4)

The Trustees for establishing the Colony of Georgia in America, understanding that an application has been or is designed to be made by certain Persons in a Petition to His Majesty for a Grant of a Silver Mine said to be discovered in South Carolina; And the Trustees having great Reason to be assured, that if there is such a Mine, it is within the Province of Georgia; They having received information, that it is in the midst of the Nation of Cherokees Indians, and is Southward of one or more Branches of the River Savannah, And His Majesty having been graciously pleased by His Royal Charter to the Trustees for establishing the Colony of Georgia, bearing date June the 9th 1732, to grant to them the Territories lying and being from the most Northern Stream of the River Savanah unto the most Southern Stream of the River Alatamaha and likewise to grant them all Mines as well Royal Mines of Gold and Silver as others within the said Territories

The Trustees do therefore desire, that no Grant

Grant of any such Mine be passed, without pre-
-vious Notice thereof being given to them the said
Trustees, that they may be heard thereupon.

Benj. Martyn Secretary to the
Trustees

Georgia Office
Jan.ry the 23d 1743/4

Rec.d Jan 25th }
Read D.o 26th } 1743/4.

B.P.R.O. So Carolina B.T. Vol. 13. H. 14.

So Carolina Charles Town Feb 6th 1743/4

My Lords,

I mmediately upon my arrival in this Province I wrote to your Lordships, but the ship which carried my letters, after having been at sea some weeks, return-ed into this Port, having lost her rudder in a storm, however I send them by this conveyance. I shall now inform your Lordships in what situa-tion I found the affairs of this Province upon my landing, and how I have conducted them since, as my management has procured me the thanks and applause of all ranks of men here, I hope I shall have your Lordships approbation likewise.

I found the whole frame of Government un-hinged and the Governor divested of that power which His Majesty's instructions and the Constitution place in him, and this power parcell'd out to many hands under different denominations, but chiefly under that of Commissionares. And since the Governor's power was to be devided, I found some of the Council have been as busy in stripping him and as eager to share it as any others; This has been permitted either through the indolence of some Governors, or

to

to cover their being continually at a distance minding their own private affairs, for I cannot think it was by connivance of any, or from a consideration that they were to continue Councillors when they ceased to be Governors. Mr Bull has the character of a very honest worthy person, but I can say nothing from my own knowledge, he having been constantly in the Country, three score miles off, since my arrival, except one day.

It has been the constant uninterrupted custom in this Province, for all Governors or Commanders in Chief to be present at all meetings of the Council, whether met as a Court of Chancery, as a Council or as a House of Assembly, but I find upon the Journals of the Council in Assembly the following most extraordinary paragraph. It is dated April 11th 1739 The Governor or Commander in Chief being present during the debates of this House, is of an Unparliamentary nature, It is therefore Resolved, that we will enter into no debates during such his presence. After this there has been very little regard or notice taken of the Governor, nor was his name ever after permitted to be entered on the Journals, nor has great respect been paid to the King's instructions, for I

find

find the business has been generally transacted by three, often by two only, and sometimes by one without the Governor.

The Journals of the Council and Assembly which ought to have been transmitted to Your Lordships and the Secretary of State every Quarter of a year, have not been sent these three years, tho great sums have been paid by the publick for that purpose, as well as for the extracts that have been sent.

The Fortifications of Charles Town, which were but half finished, have been suffered to go nearly to ruin, and the Cannon which was sent some time ago from England has layen unmounted on the beach ever since, and the Carriages in the Armoury. The Guns which are mounted have neither aprons nor tampions, so that by the constant admission of rain many of them are honeycombed; I have endeavoured to correct these evils, by mounting the Ordnance that lay neglected, and by a proper care of those that were mounted, having sic caused pay them all over with tar and tallow, by which means both Guns and Carriages will be longer preserved.

The

The Watch of this Town, a body of five and forty men and three Officers, paid at a high rate for doing very little, has been much and justly complained of, I find in the Minutes of Council a Message out from the Assembly to the Lieut. Gov.r in May last, desiring that two of the Watch might be placed every night upon the Powder Magazine in which there is at all times several hundred barrells of powder belonging to the Publick and to the Merchants, and that for want of such Watch they apprehended great danger from the evil designs of Slaves or others, as this was a matter of consequence, I went myself in the night time, to see whether it was complyed with, but I found no person near it, and upon enquiry, I was told that this so absolutely necessary duty had never been performed at all, tho' there was to be an additional allowance of pay for it, this I have remedied.

There have been of late several fires in Town, & as some of them happened in the night and in a quarter full of timber buildings and the wind high, the people were in the utmost consternation, I had left orders with the watch, that I should be raised at all hours of the night

in

in case of any disturbance, by which means I have been present at all such occasions, and the people have been gratefull enough to acknowledge that the preservation of that quarter has been owing in a great measure to my diligence. The Watch never had received directions how to behave upon such emergencies, and instead of being usefull, added to the confusion, but I had them regularly placed to keep off the mobb, and then carryed buckets of water myself which example was soon followed by such numbers that the fire was soon extinguished and now the Watch have instructions in writing that they can never err for the future.

By the Laws and Customs of this Province the Governor is Ordinary, but it is impossible to enumerate to your Lordships the evils that have flowed from a total neglect of this branch of business and this is not to be laid to the charge of any one Govr. or Lieut. Govr. but has been the constant method pursued here, all these affairs have been transacted by Depts. or under Clerks at the Secry's office, where any person applying for papers, or even sending a note with the fees enclosed, might have them without further enquiry, upon looking into the matter

S

I discovered such scenes of iniquity with regard to Wills of persons dying in remote parts of the Province, and strangers to the Laws, and such abuses of all kinds, that I saw the necessity of a reformation, and have done it in some instances, and am consulting with the Chief Justice what may be the most effectual means to correct what else is amiss, at the same time I shall be sure that no persons fees whatever shall be encreased upon this pretence

The Assembly met the tenth of January pursuant to Adjournment and in so good humour, that they immediately came to a resolution of giving me a hundred pound Sterling, yearly for a house rent, and five hundred Pound Sterling yearly as a Salary this was unanimously agreed to. There was some dispute whether it should be given now or at the end of the year, as has been the constant practice in this Province hitherto, but they have been so obliging as to give it now, that I might be under no restraint

The Council have likewise agreed that I shall be present at all their Meetings, and my name marked in the Minutes as was allways done before the year 1739.

The Publick has given me Five hundred pound

Sterling

Sterling to purchase 500 Muskets. I had some intimations from persons here (unacquainted with me) that arms might be purchased for ten shillings a piece, but I have remitted the whole sum to Genl Wade, and I hope your Lordships will pray him to serve the Province in this matter, if these please a thousand more will be sent for.

I send Copys of several Laws past before I arrived, and some of our Journals, the rest shall be sent very soon.

I have subjoined my Speech to the General Assembly with their Addresses to me, and am with the greatest respect

My Lords your Lordships most
obedient and most humble Servant
James Glen

The Rt Honble The Lords of Trade

Recd March 30th } 1744.
Read April 25th }

B. P. R. O. A + W. I. Vol. 19 p 218

S. Carolina Charles Town Feb 6 1742

Dear Sir

When I have had a little more time to look into the affairs of the Province I shall send full and particular Accounts of them perhapps they may differ widely from those hitherto sent but as to that I shall be litle solicitous I am sure they shall be consistent with truth I have dedicated my whole time to the Publick since I have been here which has been employed either in rectifying what was amiss or in reading Journals that I may be master of their Affairs or in creating of Kings for several of those mighty Indian Monarchs have been down I remember Roselli at the Hague petition-ed the States either to be made professor of Divinity or to be allowed to keep a Coffee house, these Gentlemen seem glad of their Commission to be King but I believe would be better pleased to be Kitchen boys at New-castle House. In short I have not been able to command such a solitary walk as I have some-times seen you steal round the Park ever since I have been in the Province but my hurry has not hindered me from looking minutely into

Cruttenden's

243

Cruttenden's business so strongly recommended to me by you. I have not yet turned out Beauchamp till I get the money out of his fingers I have examined his Accompts which were very confused and perplexed perhapps purposely render'd so to deter me from overhawling them however I have the pleasure of remitting you ninety Pounds now and by what I have done I shall be able to remitt you a like sum of ninety Pounds every Quarter for this twelve month to come. I pray for your good Offices with His Grace the Duke of Newcastle and I beg to have a line from you

I am
Dear Sir
your most obedt. Servt.
James Glen.

I can get bills only for 60£ by this ship but shall send the rest next week.

B. P. R. O. So Carolina B. T. Vol 27 p. 82

(29th Feb. 1743/4.)

To His Grace the Duke of Newcastle

My Lord,

Having lately received a letter from Col. Bull Lieut. Govr of South Carolina, dated the 22d Novr last relating among other things to some Persons supplying His Majtys Enemys with Negroes, Provisions & Cloths; We take leave to inclose to your Grace an Extract of the said Letter, as far as relates to that affair for Your Graces information.

We are
My Lord
Your Grace's
most Obedient and
most humble Servts
Monson.
M. Bladen.
R. Plumer
B. Keene.
Ch. Gilmour.

B. P. R. O. So Carolina B. T. Vol. 13. H. 17.

South Carolina Charles Town March 12th 1743/4

My Lords,

After writing so lately by Captain Hardy I had not so soon troubled your Lordships with another letter, but the loss of His Majesty's Ship the Loo makes it my duty. This unlucky accident happened the fifth of February about one in the morning, by her running on some Rocks called the Martyres to the South West of Cape Florida.

It is not possible for me to give Your Lordships any other account of this matter, than what you will receive much more distinctly from Captain Utting a Gentleman who by a long residence in this Province has established a character amongst all ranks of People here, for strict honour and veracity as well as for his care, diligence and knowledge, as an Officer.

But my principal concern is to express to your Lordships how sensibly that loss affects this Province. The long neglected Town of Beaufort, upon the arrival of this Ship, and the Assurances given that another would be sent out, began to revive and many good Houses were built, and many Grants for

for Town Lotts were applyed for, so that I am persuaded that Town and the adjacent Country would soon have been well settled, and consequently our Southern Frontier, where we are most Vulnerable, would have been strengthened, but now I receive Letters and Petitions dayly from the best people in those Parts, representing their Fears and the dangers to which they are exposed, and everything is at a stand, tho' I have stationed one of our Gallys (a very fine small vessel) there, I have likewise desired the Captains of the Men of War on this Station, to keep a particular Eye upon that Port, in their Cruizes along our Coast.

But what has chiefly quieted them, is the hopes that I have given them that some large ships would soon be sent to Port Royal. The same Reasons that Induced this Province to pray for two Fifty Gun Ships and which I apprehend prevailed with the Lords of the Admiralty to send out a Forty Gun ship still Subsist, with this additional circumstance, that now the Spaniards know we may be invaded by large ships, for as Captain Utting safely and easily carried in the Loo, and he and the whole ship's Crew declare that with equal facility Fifty or Sixty Gun ships, might have entered, there is now no longer any Safety

safety for us on that Quarter but in having some large Ships stationed there.

The Advantages that must arise to Britain from such a Post on the most Critical part of all America are too evident to need my enlarging upon, The Climate is extreamly healthfull and the Country plentifull. The Seamen will be free from the violent heats and infectious diseases which prove so fatal to them in the Sugar Colonys, and the Frosts which in our Northern Provinces often render our ships Useless will have no effect here: And as most of the Trade and Treasure of France and Spain must come through the Gulf of Florida, where can it be so properly waited for as here, where a few great ships stationed, to Cruize betwixt this and Cape Florida, a very easy Navigation, must become masters of everything.

The day before the loss of the Loo, Capt Utting had taken a French snow, which shared the same fate as the ship, however her Crew were brought hither, they say they belong to the Governor of Martin-ico but it appears plainly by a packet of papers which they endeavoured to destroy that they were in the service of the Catholic King, and by a

Contract

Contract made with the Governor of the Havana, they were to have purchased Slaves and Quick Silver, and probably to have picked up what intelligence they could; It seems the Captain whose name is Dansant and who has not at all the look of the Master of a little snow, was some time ago carried into Jamaica, where he had made friends and acquaintances that might be useful to him in such a sort of Commerce, and having during his stay there borrowed three or four hundred Pounds of the Governor, the repaying this money was to have been the plausible pretext of his returning thither. If he is cleared at the Admiralty Court here, he shall be sent off without being permitted to make any Observations but what may arise from the prospect of a Line of Sixty or Seventy well Mounted Cannon which we could not prevent his seeing.

Captain Frankland Commander of the Rose Man of War came into this Port two days ago with a Spanish Sloop which he had taken in her way from St. Augustine to the Havanna and a large Ship loaded with Log wood of betwixt two and three hundred Tunn which the Spaniards had taken from the English some days before, there were in both vessels twenty

twenty five Spaniards who are now here Prisoners
they have been separately examined and all agree in
the same thing and what they say tallys with the
French mans and with other accounts that they are
wishing for Peace both at the Havanna and Augustine
That Admiral De Torres the Spanish Admiral sailed
from the Havanna some days ago for the Bay of Mexico
with Ten Men of War under his Command, the least
of which is of Sixty Guns, that these ships are dis-
-persed in proper Stations to conduct safely the
Vizara and some more vessels coming from Vera
Crux very richly laden. That the money which is
said to be Seven Million is to be put aboard other
ships at the Havanna some of it to be sent to Spain
and the rest to Hispaniola Porto Rico &c for the
pay of their Garrisons there, this seems to be the true
errand of this Fleet. but as there are other letters in
-tercepted from the Havanna to the Governor of Augustine
some translated paragraphs of which I send enclosed,
by which it would appear that they have some design
against the English. I shall take the first oppor-
-tunity to give the Governor of Jamaica notice of
it. least it should be against Ruatan I am
with all imaginable respect.

My

My Lords

Your Lordships

Most Obedient and

Most Humble Servant

James Glen.

The forty four Marines belonging to the Loo are here lodged at the Expence of this Government and shall be taken care of

The Right Honble the Lords of Trade

Recd May 21st }
Read Do 22d } 1744.

(Enclosure)

(Enclosure to H. 17.)

The news of this place are that there is an Expedition intended for   which I believe is 150 leagues from hence towards Honduras.   Havanna Jan.ry 30th 1744.

Upon account of Advices from Spain which came here on Christmas day, they dispatched the Europa and Castilla with Sealed Orders Some say they are gone to Vera Cruz for men and Money, but nothing certain is known. afterwards the real Famillia and Santiago sailed, they say to the Sonds, but neither is this certain for there are more oaths now about the place than ever. Tomorrow the Nueva Espania and two Brigantines go out in quest of some Privateers. It is talked here that there are orders from Spain to fit out an Armament of 4 or Six ship's of War and other vessels against the English, but it is not known against what place, upon which account, the People here are in some Confusion.   Havanna Jan.ry 31. 1744.

The news of this place are that Four ships of War are gone from this Port, for what place is not certain and the rest of the Squadron are preparing to sail by the Tenth.   Havanna Jan.ry 22 1744

The 3rd inst sailed from this Port the St. Antonio and Nueva Espania with other three small ships and

two

two Sloops, it is uncertain whither. Havanna Febry 6th 1744.

The Europa and Castilla ships of War are gone out with sealed Orders, and some days after the Real Familia and St Jago sailed in the same manner and tomorrow the St Antonio and Nueva Espania with other two Brigantines sail without knowing whither, some think in quest of money and to accompany the Vizarra. It is also whispered about that there is an Order from Spain to fit out an Armament against the English and that the greatest part of the Forces are to go (all are under an Oath of Secrecy) And it is said they have Ordered there Troops that were with you and some belonging to Cuba to be separated from the rest, which will make a noise.

Havanna Febry 2d 1744

The News here are that two Ships have sailed for Carthagena and two for Vera Cruz in quest of Money and Troops Everybody thinks when these Vessels Return the People will be paid, that they may be all contented, because there is a large Armament preparing to consist of all the ships of the Squadron for to go and gain a Country called Honduras, which is besieged by the Enemy, which if they take will be a great Action, for all the Troops going from hence are men of Valour and not Gallinazoes. The Engineers which go from this place are Dn Pedro Montier & Dn Juan Larios.

Havana. January 24th 1744.

B.P.R.O. So Carolina B.T. Vol. 13 H 18

(24 apl 1744)

At the Council Chamber Whitehall
the 24th of April 1744

By the Right Honourable the Lords of the Committee of Council for Plantation Affairs.

His Majesty having been pleased by His Order in Council of the 29th of last Month to referr unto this Committee the humble Address and Petition of the Commons House of Assembly of His Majesty's Province of South Carolina setting forth that a Silver mine having been lately discovered in one of the Indian nations in the said Province a few Private persons for the sake of gain to themselves, have possessed themselves thereof and have already actually opened begun and continue to work in the same, in direct Violation of the known and established Laws of Great Britain and of that Province and further setting forth the mischiefs which they conceive will be brought upon the whole Province in case the said Private persons are suffered to Work the said mine, and therefore humbly praying that His Majesty will take the same into His Royal Consideration and Order and Determine therein as to His Majesty shall seem proper — The Lords of the Committee this day took the said Address and Petition (together with Copys of three

three Depositions and a Message from the Council of South Carolina to the Assembly relating thereto) into their Consideration, and are hereby pleased to referr the same (Copys whereof are hereunto annexed) to the Lords Commissioners for Trade and Plantations to consider thereof and Report their Opinion thereupon to this Committee

W. Sharpe.

Recd June 26th } 1744.
Read D° 27th }

B.P.R.O. So Carolina B.T. Vol 13. H. 18 (Enclosures to)
(24 April 1744)
(~~17 Oct 1743~~)

To the Kings most Excellent Majesty.

The Humble Address and Petition of the Commons House of Assembly of Your Majestys Province of South Carolina

Most Gracious Sovereign

We Your Majesty's most dutifull and Loyal Subjects the Commons House of Assembly of Your Province of South Carolina met in General Assembly do with hearts full of affection and gratitude to Your most Sacred Person return you our unfeigned and Sincere thanks for the many and repeated Marks of Your Royal Favour most graciously conferred from time to time upon this your Province. It is owing to that Princely care inherent in your Royal Person and which has so remarkably extended itself towards this your Province That it has hitherto supported itself under the pressure of the greatest Calamitys with which it has been visited for several Years back And it is the just sense that we have of Your Majesty's great goodness and bounty towards all Your faithfull Subjects that makes us at this juncture fly to Your Majesty who can only relieve us against an Evil which

dayly

dayly threatens us and which we with the greatest Humility conceive will without Your Royal Inter-position greatly affect if not terminate in the Ruin of this Your Province.

We think it our duty to inform your Majesty that a Silver Mine having been lately discovered in one of the Indian Nations in this Your Province a few Private Persons for the sake of gain to them-selves have possessed themselves thereof and have al-ready actually opened begun and continue to work in the same in open and direct violation of the known and established Laws of Your Majesty's Kingdom of Great Britain and of this your Province.—

Many and various are the reasons which might be offered against working the said mine by private persons but we shall only presume to lay before Your Majesty these following.—

In the first place we humbly beg leave to observe to your Majesty that the subjects of the French King having extended their Possessions and Surrounded your Dominions from Quebeck to the Missisippi River we have great reason to apprehend if the said Mine should be worked up the utmost illconsequences not only from their numbers and the

the several Nations of the Indians in Alliance with them but even from those whom we are too sensible they have often attempted to withdraw from our Friendship ever since they gained Possessions in their neighbourhood to prevent which this your Province is at a very extraordinary annual charge and Expence. –

In the next place we beg leave to observe to your Majesty That great Encouragement hath been given by Your Majesty and the Legislature of this Your Province for the settling the Townships lately laid out in pursuance of Your Majesty's Royal Instructions many of which being well settled have added great strength to this your Province But it is with great Concern that we inform Your Majesty that since the opening of the said Mine several of the Inhabitants have upon the encouragement of Highways withdrawn themselves from their Habitations and Settlements and are now employed in working the said Mine and it is to be feared that many more will follow their example which will tend greatly to the depopulating of the said Townships and weakening this your Province the more especially as for several good reasons Negroes by a

Law passed some Years ago and now in force in this Your Province are prohibited from going into the Indian Nations and we may with great reason apprehend that the consequences may be no less fatal to this Your Province now if great numbers of White men are not only permitted but even greatly encouraged to leave their Settlements and become workers in the said Mine than formerly when matters of far less value from the Enormitys and abuses committed by but a few white Persons at that time amongst the Indians occasioned a heavy War which cost this Your Province much blood and Treasure the dolefull effects whereof we severely fell to this day and it is from a just sence thereof and to prevent as much as possible the like Mischief in time to come That the Legislature of this Province have by a Law enacted and Ordained that no person should be allowed to Trade in the Indian Nations without a Licence first had from the Commissioner of the Indian Trade to whom he must give Security for the good behaviour of himself and the men he carrys with him amongst the Indians and it has been the constant practice not to give Licences to above

above two Persons to trade in any one Indian Town.

In the third Place we beg leave to observe to Your Majesty that the Agriculture and Navigation of this Your Province If the said Mine should be worked up by any number of Private Persons would be greatly Discouraged as Rice which is the Staple would be lowered in value and the number of ships in this Trade greatly lessened which would necessarily be the case as the Merchants who import yearly great quantitys of Goods from Great Britain and have hitherto made the greatest part of their return in Rice which hath employed a great number of ships would have it in their power to make their remittances in bills of exchange or Silver and no doubt would prefer either to Rice, which is of a more uncertain and precarious value

In the last place we beg leave to observe to Your Majesty That if the said mine should be worked by any number of Private persons those persons would have so great an advantage over all others concerned in the Trade of this Province That in a short time they would have it in their power to Monopolize the whole into their own hands which

which would tend to the great disadvantage of Trade and discouragement of shipping. —

It is for these Reasons may it please your most sacred Majesty that we have at this juncture presumed to address Your Royal person humbly imploring your Majesty to take the same into your Gracious consideration and to order and determine therein as unto your Majesty in your great Wisdom shall seem proper.

In the Commons House of Assembly
the 14th of October 1743.

Benja Whitaker Speaker.

A true copy examined & attested the 17th of Oct. 1743.
Childermas Croft C. C.

(Enclosures.)

(Enclosures to H 18.)

William Wright silversmith being duly Sworn before Daniel Crawford Esqr one of His Majestys Justices of the Peace saith that the first piece of Oar that produced Silver was shewn him by Mr Kelly and told him it was found between the Havanna and St Augustine and says he has been told by People as well concerned in the Mine as others that there is about thirty Tunn of Oar already dug more or less which was spoke in Publick and before Gentlemen not concerned in the Company and that he took it only in jest and says he has entred into Articles with said Kelly who is one of the Company and that he intends to go up to the mine in the Spring as a Refiner which he believes to be in the Cherokee Nation. —

Sworn before me this 8th day of October 1743.
Daniel Crawford

William Wright.

A true Copy examined and attested this 17th Oct. 1743.
Childermas Croft C. C.

Michael.

Michael Christopher Rowe an Inhabitant of the Township of Orangeburg Sworn before Daniel Crawford Esqr. one of His Majestys Justices of the Peace saith that about Six or Seven weeks since there was a Publick Advertisement posted up in that Town-ship which gave encouragemt. of fifteen Pounds p Month to any Person that would go up to the Cherokee Nation to Work in a Mine and that to the best of his remembrance Mr. Wragg was to pay the Money, that all that were inclined to go were appointed to meet Mr. Maxwell at Mr. Rus-sels on a certain day in consequence of which Advertisement there is three men already gon which had been there before and that several more intended to go That Bernard Snell one of the said three Persons told this Deponent that he brought down a good quantity of the Oar also some beat to Flower and some bairs of Silver to Mr. Maxwells and said that he said Snell worked in the said Mine, That Peter Crim another of the three Men is the overseer of the Mine and that he is informed several People are gon from the other Townships and that they had drove eighty head of Cattle up to the Mountains for driving of

of which they paid four hundred pounds to five men

Michael Christopher Rowe

Sworn before me this
11th day of October 1743
Daniel Crawford

A true Copy examined and attested this 11th Octr 1743.
Childermas Croft C & C.

Thomas Murray being duly Sworn before Daniel Crawford Esqr one of His Majesty's Justices of the Peace, Deposeth that about a Month Ago he was at the Congree and within thirty miles of Saloode River and that he saw and conversed with several People that live upon said River and that all the time he was there he never heard of any Mine being there or thereabout Nor does he believe there is any such thing there that he knows all the ground there very well and that it is all level ground and nothing like ground where Mines are generally found but that whilst he was up there he heard there was a Silver mine in the Cherokee Nation that he was at Mrs Russels house whose Son informed him that

that he had seen several bars of Silver about four or five Inches long in the hands of a person who told him it was refined from Oar that was dug out of a Mine in the Cherokee Nation at a place called the Valley which is in the middle of the Settlements of said Nation That upon his return between Mr Russels Creek and Beaver Creek he met several People to the number of eighteen or thereabouts with about forty horses amongst whom was one Cornelius Doharty who told this Deponent that he was going a Mine-ing for Silver and would have some if it was to be had and asked this Deponent to go along with him and also asked him if he had any Negroes to carry up there to Work in the Mine who replied he had not any and declined going with him. This Deponent further saith that he was formerly up with Mr Rathmaler searching for Mines all over that part of the Country and has lived thereabouts Seven Years and further saith not.

The mark of
Thomas (T) Murray

Sworn before me this
11th day of Octr 1743.

A true Copy Exd and attd the 17th Octr 1743
Childermas Croft C.D.C. Inr

In the Common House of Assembly
Friday the 13th October 1743.

The Master in Chancery brought down the following Message from the upper House vizt.

Mr. Speaker and Gentlemen

In answer to Your Message wherein you acquaint us That having called upon Your Committee to know the reasons which induced them to proceed in their Enquiry concerning the Silver Mine without joining the Comittee of this House they acquainted You that having joined Our Committee and called some Persons before both Committees to be examined Your Committee apprehended that ours refused to join with them in examining the said Persons which occasioned them to proceed without Our Committee. –

Our Committee have assured this House that no previous Motion was made by any of Your Committee for the Examination of any one before the persons mentioned in your Message (which were the Surveyor General and Deputy Secretary) were introduced into the Committee of Conference and that a Motion was made for the Examination of the said persons whilst they were present or after they withdrew

withdrew when the irregularity only of their having been introduced and made Privy to the Debates of the two Committees was taken notice of by Our Committee However as You say Your Committee only apprehended that Ours refused to join with them in examining the said Persons we shall only observe to You that as the said Proceeding of Your Committee hath been unparliamentary we desire that the same may not be drawn into Precedent for the future.

We acknowledge the receipt of the three Depositions on the Mine Affair and if you have had any other Information or taken any other examinations thereon We desire that You will communicate them —

We take this occasion of acquainting You that this House having sent yesterday a Message to His Honour the Lieutenant Govr. desiring to be informed whether anything and what had come to his knowledge relating to the discovery of any Mine and whether the same had been represented by him to his Majesty his Honour was pleased this Morning to acquaint this House by Message that in August last Mr. James Maxwell and Cornelius Doharty presented a Memorial to him with a copy of a Petition to His Majesty praying a Grant of some Land in

in the Cherokee Nation wherein a discovery was
made of great quantitys of Oar of Lead Tin Iron
Copper and some intermixtures of Silver which
Memorial and Petition his Honour had Communi-
-cated together with his own Sentiments thereon
to his Majesty's Principal Secretary and which
Letter he should communicate to His Majesty in Council
here who no doubt in their consideration thereof will
advise the needful measures to be taken for the Peace
and tranquility of the Province until his Majesty's
Pleasure is known

In the Upper House of Assembly   Edwd Atkin
the 14th day of October 1743.

A true Copy examined
and attested 5th November 1743.
Childermas Croft C.D.C.

B. P. R. O. So Carolina B. T. Vol. 13. H 46

(9 May 1744)

At the Court at St James's
the 9th day of May 1744
Present
The Kings most excellent Majesty
in Council

Upon reading at the Board a Report from the Right Honourable the Lords of the Committee of Council for Plantation Affairs dated this day in the words following - Vizt

In Obedience to Your Majesty's Order in Council of the 21st of March last referring to this Committee a Return made by the Commissioners appointed in behalf of Your Majesty as also of the Lord Carteret to set out and Allott to His Lordship One full Eighth part of the Province of Carolina together with a plan of the Lands so laid out and Allotted to him by the said Commissioners - The Lords of the Committee have this day taken the said Return and Plan into Consideration and thought proper upon this Occasion to look back into the several Steps that have been taken upon this affair. - Whereupon their Lordships do humbly report to Your Majesty that they find

find Lord Carteret did some time since present his humble Petition to Your Majesty setting forth his Right under Letters Patents granted by King Charles the Second to one full undivided Eighth part of the Provinces of Carolina, and also of the arrears of Quit-rents and other Dutys Reckonings, Claims and Demands, and humbly praying that his said Eighth part of the soil of the said Province and Territorys might be set out and allotted to him in such part of the said Provinces and Territorys as should be agreed on between such persons as Your Majesty should be pleased to appoint for Your Majesty and such persons as the Petr should name on his part, To have hold and enjoy the same for ever hereafter in severalty to the Petitioner his Heirs and Assigns together with all and every the same Royaltys Powers Libertys Franchises and Privileges (the Government thereof and of the said Province of Carolina only excepted) as far as concerns such Eighth part to be so allotted to the Petr as the Petr is entitled unto under the said Letters Patents and an Act of Parliament passed in the second year of Your Majesty's Reign for establishing an Agreement with seven of the Lords Proprietors

of

of Carolina for the surrender of their Title and Interest in that Province to His Majesty, in case such division or Allottment was not or should not be made and under the like Quit rents Proportionably as is mentioned in the said Letters Pattents according to the Petitioners Proportion or Eighth part thereof, and thereupon the Petitioner humbly offered and proposed to Surrender to Your Majesty your Heirs and Successors his Share and Interest of and in the Government of the said Province or Territorys and to convey Release and Confirm to your Majesty your Heirs and Successors the other seven parts of the said Province — Which Petition being referred by Your Majesty to this Committee their Lordships did on the 24th of August 1742 make their Report thereupon to Your Majesty wherein they set forth that they had referred the said Petition to the Lords Commissioners for Trade and Plantations who had offered as their Opinion That it would be for your Majesty's Service that the Lord Carteret's property should be separated from that of your Majesty wherein he should enjoy whatsoever he is entitled to by the Charters of Carolina and the aforesaid Act of Parliament, and for the better preventing any difficultys that might attend the Setting

setting out an Eighth part of the said Province the said Lords Commissioners conceived the Method proposed by the said Lord Carteret would be the most effectual And that upon consideration thereof this Committee did agree in Opinion with the said Lords Commissioners for Trade and Plantations That the said Lord Carterets Property should be separated from that of Your Majesty And to that end this Com-mittee humbly proposed that the respective Governors of South and North Carolina or either of them as Your Majesty should be pleased to direct be ordered to Nom-inate and appoint proper persons as Commissioners on Your Majestys behalf not exceeding five, who, in Conjunction with a like number of Persons to be appointed by the Lord Carteret as Commissioners on his behalf should be empowered to set out and allott to the said Lord Carteret one full Eighth part of the said Provinces of Carolina in such Part or Parts of the said Provinces and Territorys as should be agreed upon by the Commissioners so to be appointed as aforesaid and that they should be required to make a return of their Proceedings therein to Your Majesty in Council within Eighteen months after the Date of Your Majesty's Order to be made upon the said

Report

Report and also to lay before Your Majesty a Plan containing a full and Exact Description of the said Lands together with the Respective Boundarys thereof in order to Your Majesty's signifying Your Royal Pleasure (in case Your Majesty should approve thereof) for Conveying the same to his Lordship in such manner as should be advised by Your Majestys Counsel Learned in the Law, Provided the said Lord Carteret should at the same time make a Surrender to Your Majesty of all his pretensions to the Government of the said Provinces of Carolina and should Convey Release and Confirm to Your Majesty Your Heirs and Successors the other Seven parts of the said Provinces and for the better Guidance of the Commissrs. so to be appointed on Your Majesty's behalf in the discharge of their Duty herein The Committee conceived that it might be adviseable for Your Majesty by Your Order in Council to require the said Commissioners to follow and Observe such Directions and Instructions as might be found necessary to be given them from time to time either by Your Majesty or by those who Act under Your Majesty's Royal Authority—

Which

Which Report of the Committee being laid before Your Majesty in Council on the 15th of September 1742 Your Majesty was pleased to approve thereof and to give the necessary Directions for appointing Commissioners on Your Majestys behalf and to Empower them (in Conjunction with the Commissioners to be appointed by the Lord Carteret) to set out and allot to the said Lord Carteret one full Eighth part of the said Provinces of Carolina and to require them to make a Return of their Proceedings therein to Your Majesty in Council within 18 Months from the date of Your Majestys said Order together with a Plan containing a full and exact Description of the said Lands with the Boundarys thereof Pursuant whereto the Commissioners appointed to lay out the said lands as well on behalf of Your Majesty as of the Lord Carteret have made the Return now referred by Your Majesty to this Committee Dated the 6th day of December 1743 together with the Plan of the Lands they have laid out and allotted to the said Lord Carteret whereby it appears that they have allotted to His Lordship one full Eighth part of the Provinces of Carolina in one entire

Seperate

Seperate District in the Province of North Carolina next adjoyning and contiguous to the Province of Virginia which eighth part is bounded to the North by the line in the said Plan that divides Carolina from Virginia to the East by the Great Western Ocean commonly so called and as far Southerly as a Cedar Stake set upon the Sea side in the Latitude of Thirty five Degrees and Thirty four Minutes of North Latitude being Six miles and a half to the Southward of Chickinacomack Inlet from that Stake by a West line which passed Twenty five feet to the Southward of the House where Thomas Wallis liveth and so West as far as the bounds of the Charter granted to the Lords Proprietors of Carolina by His Majesty King Charles the Second which West line went within 1660 Poles to the North of the South end of Bath Town All which Boundarys are marked out and ascertained by the said Plan — Upon consideration whereof the Lords of the Committee do agree humbly to Report as their Opinion that Your Majesty may be pleased to approve of the said Return and Plan and of the Allotment thereby made to the said Lord Carteret for his one eighth part of both

both the Provinces of Carolina and that thereupon it may be adviseable for Your Majesty to Order Your Attorney and Sollicitor General to prepare the necessary Instruments or Deeds conformable to what is contained in the aforementioned Reports approved by Your Majesty on the 15th of September 1742 for Conveying Releasing and Confirming the said Lands to the said Lord Carteret and His Heirs and likewise for the said Lord Carterets Surrendering up to Your Majesty all his Pretensions to the Government of the Provinces of Carolina, and for Conveying Releasing and Confirming to Your Majesty Your Heirs and Successors the other Seven parts of the said Provinces and to insert therein all such Clauses as they shall think proper and as the nature of the case shall require —

His Majesty this day took the said Report into Consideration and was pleased with the advice of His Privy Council to approve thereof and also of the said Return and Plan hereto annexed and of the Allotment of Land thereby made to the said Lord Carteret for his one Eighth part of the provinces of Carolina — And His Majesty doth hereby order that Mr. Attorney and Mr. Sollicitor General do prepare such Instruments

or

or Deeds as are proposed by the said Report, and present the same to His Grace the Duke of Newcastle His Majesty's principal Secretary of State who is to lay the same before His Majesty and to prepare a Warrant for His Majesty's Royal Signature in Order to Pass the Deed or Instrument for Conferring the said Lands to the Lord Carteret under the Great Seal upon the said Lord Carteret's Executing the Deed or Instrument of Surrender on his Part. —

A true Copy
W. Sharpe

Rec^d^ August ye 28th } 1744
Read Novr ye 21st }

B.P.R.O. So Carolina B T Vol 27. p. 83

(30th May 1744)

To Thomas Glen Esqr
Govr of So Carolina

Sir,

We have received your letter of the 26th December last, in which you inform Us of your safe arrival and of your having taken upon you the Administration of the Government, after going thro the several forms requisite for that purpose; and We take this first Opportunity of congratulating you thereupon, not doubting but your Conduct in that Station will answer both the Confidence His Majesty has reposed in you, and the reasonable expectations of those over whom he has appointed you Governour.

We have likewise received two other Letters from you. One of the 6th of February and one of the 12th of March last, together with the several Papers transmitted there-with. - We find by the first of these, that you have begun to enquire into the state & Condition of certain Parts of your Government, and are preparing to apply proper Remedies to such abuses as you have already discovered.

We wish you success in your undertaking

and

and hope you will, as often as Occasion offers acquaint Us with your proceedings.

We have transmitted to the Lords of the Admiralty an Extract of that part of your Letter which relates to the loss of the Loo man of War, and doubt not but another ship will be appointed for the protection of your Trade.

You have done well in making Provision for the Four and forty Marines that belonged to the Loo. So we bid you heartily farewell, and are

Your very loving Friends
and humble Servants

Whitehall
May 30th 1744

Monson
M. Bladen
R. Plumer
B. Keene.

B.P.R.O. So Carolina B.T. Vol 13. H 22.

(11th June 1744)

May it please your Lordships

I herewith transmit an account of the Business done in the Surveyor Generals Office since the 29th day of October 1743 to the 30th Day of April 1744, also as Inspector and Controller I send a List of Lands granted in Beaufort Town since the Death of my Pre-decessor on the 4th of April 1743 untill the 30th of Aprill 1744 regularly digested in point of time (tho not so recorded in the Secretary's Office) Duplicates of both I have sent to Mr McCulloch in North Carolina & have likewise delivered Duplicates thereof to Mr Saxby Receiver General & Mr Cramahe Deputy Auditor for this Province, to enable them to continue an exact Rent Roll agreeable to the Instructions given my Predecessor which required the same, & my Corresponding with your Honours at least every six Months. With my last Report for the first six months I held these offices, I informed & shew'd your Lordships that the Fees of these Offices for that time were only £ 21.15 – Sterling which scarce pays House Rent, & are still so very inconsiderable that they cannot support any officer without the Sallary of £100 Proclamation Money allowed Mr St John, in lieu of all

all Fees for the Business of Inspector + Controller, who could much better dispense with the abatement thereof by reason of the advantages of the Surveyor Generals Office in his time, than I who have only the Benefit of a few Plats and the trouble of examining + comparing whether the Plat returned does not exceed the Quantity mentioned in the Governor's Warrant, of which Warrants there are some thousands in the Surveyor General's Office + most of them executed in several Tracts. —

May it please Your Lordships

As by my Instructions I am ordered to detect any abuses or Embezlements I woud recommend, that a Court of Exchequer shoud be established in this Province (there being none) whereby some Plantations + Lots in Charles Town might be Escheated for His Majesty's use. —

If Your Lordships shall think fit to Confirm me in the said Offices as held by Mr. St. John, having been recommended to His Grace the Duke of Newcastle + your Honours as a person capable of executing the same by Lieutenant Govr. Bull, I shall always endeavour to acquit myself in the discharge thereof to Your Honour's Satisfaction. I am

So. Carolina
Charles Town
11th June 1744.

Your Lordships most obedient and humble Servant George Hunter.

May

May it Please your Lordships.

Since the Date of the other side, an Embargo has been laid upon a Report of an Invasion intended by the Spaniards from the Havanna by way of Augustine where they are to have a Reinforcement. Whereupon this Government is consulting how to render Charles Town more defencible by a Line of Retrenchment fortified on the Land side (wherein the natural Situation may assist very much) tho under the Disadvantages of want of money & a good Engineer —

If Your Lordships please I shall send you a Plan of the same, when the Design or Construction thereof is executed or agreed upon, also of the late Fortifi-cations made since the Alarm in July 1742 on the South East & South West side of Charles Town consisting of four new Brick Bastions, as they call them, with long Curtains or Redent lines palisaded. The Engraved plan of Charles-Town, tho by a small Scale shews exactly our Fortifications with each Embrasure before said Alarm, at which time they were chiefly supply'd with proper Ordnance and about thirty Demi-Culverins mounted on the Curtains and it's advances between Granville & Cravens Bastions.

I shall always esteem it an Honour to obey your Lordship's Commands and am

Your

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Your Lordships

30 June 1744. Most obedient humble Servant
George Hunter.

Recd Sept. ye 10th } 1744.
Read Do. 27th }

Enclosure

(Enclosure to H. 22.)

A List of Beaufort Town Lots on Port Royal Island granted since the 4th day of April 1743 till April the 30th 1744. —

Lots as numbered	Grantees	When granted		Date of the Governor's Warrant		Date of the Surveyor Genl's Certificate	
24	Stephen Bull	1743	Augt 24	1741	May 29	1743	May 23
44	Wm Bull Junr	Do	Do	Do	Do	Do	Do
309	Thos Burton	Do	Do	1743	Do 14	Do	Do 26
307 308	Robt Williams	Do	Do 27	Do	June 23	Do	June 26
326	Col. Wm Hazard	1744	Apl 21	Do	May 14	Do	May 16
304 305 312	Eliza Wigg	Do	Do	Do	Do	Do	Do 26
166 167	Richd Haynes	Do	Do	Do -	Do	Do	Do
336 337 338 339 340 341	Richd Woodward	Do	Do	Do	Augt 24	Do	Octr 31
78	Paul Grimbal	Do	Do	Do	Novr 15.	Do	Decr 21
374	Thos Grimbal	Do	Do	Do	Do	Do	Do
361	Sarah Woodward	Do	Do	Do	Do	Do	Do
362	Mary Hudson	Do	Do	Do	Do	Do	Do
315 316	William Lyford	Do	Do	Do	Do	Do	Do
311	Geo. Livingstone	Do	Do	Do	Do	Do	Do
74	Fredk French	Do	Do	Do	Do	Do	Do
345	Col. Wm Hazard	Do	Do	Do	Do	Do	Do

N.B.

N.B. The First four Grantees were given in the last half year's Report, dated the 30th day of October 1743.

Certified this 30 Day of april 1744.

℘ George Hunter

Inspector & Controller

The Tenure is that the Grantees shall build a good & sufficient tenantable House of the Dimensions of Thirty feet in length & Fifteen feet in Breadth with one Brick Chimney at least in the space of three years from the Date of the Grant, & in case of Failure therein, then to pay to His Majesty Two Pounds Proclamation money ℘ annum from thence untill the Expiration of Twelve years from the date of the Grant at which term it is to revert to His Majesty, if the Condition is not then complied with.

B.P.R.O. So Carolina B.T. Vol. 13. H.23. Enclo. to H.22.
(11 June 1744.)

An account of the Business done in the Surveyor Generals Office of South Carolina from the 29th Day of October 1743 to the 30th Day of April 1744 being six months. —

Recd with Mr Hunters letter dated ye 11th of June 1744.

Recd Sept. ye 10th } 1744
Read — 27th }

The

The date of the Gov.rs Warrant		Sur. Gen.ls Receipt		Where to be survey'd & Quantity		Quantity Survey'd, Owners Names & County or Township		
1739	Nov. 5.			Orangeburgh	100	50.	Jacob Leach	Orangeburgh.
1741	June 27	1741	June 29	Welch Tract	300	300	John Westfield	Welch Tract
1736.	Aug.t 25.	1736.	Aug 25	Williansburgh	100	100	Geo. Buross	Williansburgh
Do.	Do.	Do.	Do.	Do.	300	300	John Lemon	Do.
Do.	Do.	Do.	Do.	Do.	300	300	Will Orr	Do.
Do.	Do.	Do.	Do.	Do.	150	150	John Watson	Do.
1737	May 11	1737	May 11	General	250	40	William Buchanan	Colleton
1738	June 24	1738	June 24.	Orangeburgh	400	400	Jacob Schuler	Orangeburgh
Do.	Do.	Do.	Do.	Do.	400	400	Valent July	Do.
Do.	Do.	Do.	Do.	Do.	50	50	Adam July	Do.
Do.	Do.	Do.	Do.	Do.	200	200	Geo. Shower	Do.
1737	Mar. 13	1737	Mar. 13	Do.	300	300	Mart.n Schudi	Do.
1739	July 5.	1739	July 5.	Do.	350	350	Isaac Hotto	Do.
Do.	May 11.	Do.	May 11	Do.	200	200	Geo. Stakely	Do.
Do.	Feby 2.	Do.	Feby 2	Do.	100	100	Elias Snell	Do.
1737	Oct.r 5	1737	Oct.r 5	Do.	350	350	Henry Snell	Do.
1738	June 24			Do.	200	200	Jn.o Fritchman	Do.
1737	July 13			Do.		150	Peter Huber	Do.
1742	Aug.t 27	1742	Sep.r 1	Do.	1	1	Peter Roth	Do.
1743	Nov.r 10	1743	Nov.r 10	Saxe Gotha	150	150	Fred.k Arnold	Saxe Gotha
Do.	Do.	Do.	Do.	Welch Tract	350		Jas. Jones	
Do.	Do.	Do.	Do.		700		Fra.s Young	

Deputies Names & Date of Certificate	When returned into the Office	When certified by Sur. Gen.l	To whom delivered.
Geo. Haig June 28. 1740		1743 Nov.r 1	The Owner
Geo. Pawley Dec. 17 1741	1743 May 20	D.o D.o	Fra.s Young
A. Williams Mar 23. 1739.	1740 Oct. 25	1739 Mar 23	The Owner
D.o D.o	D.o D.o	D.o D.o	Geo. Burrows
D.o Mar 26. 1740	D.o D.o	1740 Mar 26	The owner
D.o Mar 28. 1740	D.o D.o	1740 Mar 28	Geo. Boross
W. McFerson Feb. 14. 1742.	1743 Nov.r 1	1743 Nov. 4	Ja. Lennox
Geo. Haig Feb.y 19. 1738	1739 July 25	D.o Nov. 7	John Dart
D.o Dec.r 16. 1738	D.o D.o	D.o D.o	
D.o June 12. 1739	D.o D.o	D.o D.o	
D.o Dec. 18. 1738	D.o D.o	D.o D.o	
D.o July 26. 1739	D.o Oct. 18.	D.o D.o	
D.o July 25. 1739	D.o D.o	D.o D.o	
D.o Dec. 2. 1740		D.o D.o 8.	
D.o Dec. 6. 1740		D.o D.o	The Owner
D.o Oct. 13. 1737	1738. Mar 22	D.o D.o	Elias Snell.
D.o Dec. 20 1738	1739 July 25	D.o D.o	Elias Snell
D.o Oct. 6. 1737	1738 Jan 6	D.o D.o	
D.o Sep 24. 1742		D.o D.o	

The Date of the		Where to be survey'd and Quantity		Quantity Survey'd, Owners names & County or Township		
Govrs Wart	Sur Genls Rect					
1743 Nov. 10	1743 Nov. 10		150		Fras. Young.	
1735 May 15	1735 May	General	300	300	Geo. Sanders	Craven
1741 Jan. 23	1741 Mar. 9	Saxe Gotha	100	100	Jacob Haghebuther	S. Gotha
Do Do	Do Jan. 27	Do	150	150	Hans Ul Bachman	Do
Do Do 26	Do Do	Do	100	100	Christ Rhetelsperg	Do
Do Do	Do Do	Do	50	50	Thos Liever	Do
Do Aug. 6	Do Aug. 6	Special	200	200	Wm Howell	Craven
1732 Jan. 11	1736 Aug 16	General	1400	214	Jas. Crockatt	Do
1738 June 24		Orangeburgh	250	250	Jas. Delstiein	Orangeburgh
1736 Nov. 13	1736 Nov. 13	Saxe Gotha.		250	Han Maria Stoleo	S. G.
Do Feb. 18	Do Feb. 18	Do	100	150	John Shillig	Do
1737 May 6	1737 May 5	Do	50			
1735 Mar. 9	1735 Mar. 10	General	250	250	Donald McDonald	Craven
Do Do 29	Do Do 29	Do	400	250	Elias Foisin	Do
1734 Jan 25	1743 Dec 19	Do	1700		Joseph Bryan	
1738 Sept 11	1738 Sept 14	Orangeburg	50	50	Ursula San	Orangeburg
Do Do	Do Do	Do	150	150	Phil Morris	Do
Do Do	Do Do	Do	50	50	Henry Gyley	Do
Do Do	Do Do	Do	150	150	Jno Haperdizel	Do
Do Do	Do Do	Do	200	200	Casper Miller	Do
Do Do	Do Do	Do	50	50	John Balziger	Do
Do Do	Do Do	Do	50	50	Jno Rote	Do

Deputies Names & Date of Certificate	When returned into the Office	When Certified by Sur. Genl	To whom delivered
Thos. Ferguson May 24. 1735	1735 Mar 19	1743 Nov. 13	Richd. Richardson
Geo. Haig Dec. 20 1742	1742 Jan 22	Do 17	The Owner
Do Do	Do Do	Do Do	The Owner
Do Do 30.	Do Do	Do Do	H Ul Bachman
Do Do 23.	Do Do	Do Do	Do
Do Jan 11. 1741		Do Do 19	The Owner
Jno Fairchild July 9 1742		Do Do 22	Wragg
Geo Haig Sept 19 1738	1739 July 25	Do Do 24	Jno Dart
Do Do 15. 1737	1738 Jan 25	Do	
Do Sept. 12 1737	1743 Nov 25		
Jas. Gilespie Sept 12 1736		Do Do	Adam McDonald
Thos. Blyth Feb. 20. 1740	1743 Mar 19	Do Dec 14	Jno Withers
Geo Haig Feb 19 1738	1739 July 25	Do Jan 2	
Do July 24 1739	1739 Oct 18	Do Do	
Do Dec 13. 1738	Do Do	Do Do	
Do Feb. 19. Do	Do July 25	Do Do	
Do July 25 1739	Do Oct 18	Do Do	
Do Dec 13 1738	Do Do	Do Do	
Do Do Do	Do Do	Do Do	

1738

The Date of the		Where to be survey'd & Quantity		Quantity survey'd	Owners names	& County or Township
Govrs. Wart.	Sur. Genls. Rect.					
1738 Sept. 11	1738 Sept. 14	Orangeburg	100	100	Margt. Marginia	Orangeb.
1737 Feb. 3	1737 Feb. 7	Welch Tract	650	650	Jno. Kolb	W. Tract
1740 Sept. 19	1740 Sept. 19	Do.	150	150	Kilman Kolb	Do.
1737 Feb. 3	1737 Feb. 7	Do.	650	650	Thos. Evans	Do.
Do. Do.	Do. Do.	Do.	300	300	Abel James	Do.
Do. Do.	Do. Do.	Do.	100	100	Evan Harry	Do.
Do. Do.	Do. Do.	Do.	400	400	David James	Do.
Do. Do.	Do. Do.	Do.	200	200	Daniel Doufnal	Do.
Do. Do.	Do. Do.	Do.	100	100	Griffith John	Do.
Do. Do.	Do. Do.	Do.	150	150	Jas. Rowland	Do.
Do. Jan. 1	Do. Jan. 3	Do.	350	350	Daniel James	Do.
1741 June 30	1741 June 30	Do.	250	150	David Harry	Do.
Do. Do.	Do. Do.	Do.	550	250	Thos. Evans	Do.
Do. Do.	Do. Do.	Do.	500	300	Mary Evans	Do.
1737 July 27	1737 July 27	Do.	350	350	Evan Vaughan	Do.
1738 June 15	1738 July 17	Do.	400	400	William James	Do.
	Do. July 20	Do.		250	Jno. Jones	Do.
	Do. Do.	Do.	50	50	Jas. Rogers	Do.
1738 June 16	1738 July 17	Do.	200	200	Wm. Tarrell	Do.
1741 Jan. 26	1741 Jan. 27	Do.	350	350	Richd. Rogers	Do.
Do. Do.	Do. Do.	Do.	300	300	Philip Douglass	Do.
1738 June 15	1738 June 16	Do.	250	250	Philip James	Do.

Deputies Names & date of Certificate		When return'd into the Office		When Certified by Sur Genl		To whom delivered
Geo. Haig	Dec 13 1738	1739	Oct 18	1743	Jan 2	
Geo. Pawley	Jan 10 1742	1743	Jan 13	Do	Do 3	
Do	Do 12 1742	Do	Do	Do	Do	
Do	Oct 31 1738	1739	May 9	Do	Do	Capt Wm James
Do	Aug 31 1738	Do	Do	Do	Do	Do
Do	Sept 30 1730	Do	Do	Do	Do	Do
Do	Aug 27 1738	Do	Do	Do	Do	Do
Do	Do Do	Do	Do	Do	Do	Do
Do	Sept 1 Do	Do	Do	Do	Do	Do
Do	Dec 14 1741	1743	May 20	Do	Do	Do
Do	Dec 24 1742	Do	Do	Do	Do	Do
Do	Dec 23 1742	Do	Do	Do	Do	Do
Do	Dec 10 1741	Do	Do	Do	Do	Do
Do	Dec 30 1741	Do	Do	Do	Do	Do
Do	Aug 30 1738	1739	May 9	Do	Do	Do
Do	Sept 1 1738	Do	Do	Do	Do	Do
Do	Aug 28 1738	Do	Do	Do	Do	Do
Do	Aug 26 Do	Do	Do	Do	Do	Do
Do	Aug 31 Do	Do	Do	Do	Do	Do
Do	Jan 6 1742	1742	Jan 25	Do	Do	Do
Do	Dec 29 Do	Do	Do	Do	Do	Do
Do	May 21 1740	1741	June 24	Do	Do	Do

1737

The Date of the Gov^{rs} War^{t}		Sur Gen^{ls} Rect		Where to be survey'd & Quantity		Quantity survey'd	Owner's Names	& County or Township
1737	June 7	1737	June 7	Welch Tract	400	400	Sampson Thomas	W. Tract
1741	Jan. 26	1741	Jan. 27	D°	200	200	Walter Down	D°
D°	D°	D°	D°	D°	500	500	John Jones	D°
D°	June 30	D°	June 30	D°	150	150	Jerem^{r} Rowel	D°
D°	D° 27	D°	D° 29	D°	200	200	Jacob Edwards	D°
1737	July 29	1737	July 29	D°	100	100	Saml Soranie	D°
1737	Dec 8	D°	Dec. 10	D°		400	Thos Evans	D°
1741	June 30	1741	June 30	D°	250	125	David Harry	D°
1739	Jan. 31	1739	Jan 31	D°	100	100	Evan Vaughan	D°
1741	June 27	1741	June 29	D°		100	Jn° Jones	D°
D°	D°	D°	D°	D°	200	200	Wm James	D°
D°	D°	D°	D°	D°	100	100	Sim^{n} Parsons	D°
D°	D°	D°	D°	D°	250	250	Thos Kefleby	D°
		1737	Feb. 7	D°		100	Danl James	D°
1739	Nov 7	1739	Nov. 8	D°	200	200	John Evans	D°
1741	Apl 2	1742	Nov 12	D°	250	220	Thos Mores	D°
						125	Thos Evans	D°
1741	June 30	1741	June 30	D°	550	100	D°	D°
						75	D°	D°
						100	Wm Jarrel	D°
1739	May 11	1739	May 11	D°	100	100	Jn° Newberry	D°
1741	June 27	1741	June 29	D°	100	Sc	Jn° Evans	D°

Deputies Names & date of Certificate		When returned into the Office		When certified by Sur Genl		To whom delivered
Geo. Pawley	May 3. 1740	1741	June 24	1743	Jan. 3	Capt. Wm James
Do	Jan 3. 1740	1742	Jan 27	Do	Do	Do
Do	Dec. 24. 1742	Do	Do	Do	Do	Do
Do	Dec 16. 1741	Do	Do 25	Do	Do	Do
Do	Dec 8. 1741	Do	Do	Do	Do	Do
Do	Aug. 9. 1738	1739	May 9	Do	Do	The Owner
Do	Do 7 Do	Do	Do	Do	Do	Wm Jones
Do	Dec 3. 1742	1743	May 20	Do	Do	Do
Do	Dec 17. 1741	1742	Jan 25	Do	Do	Do
Do	Dec 13. 1741	1743	May 20	Do	Do	Do
Do	Jan 19. 1742	Do	Do	Do	Do	Do
Do	Dec 18. 1741	Do	Do	Do	Do	Do
Do	Do 17 Do	1742	Dec 14	Do	Do	Do
Do	Do 4 1742	1743	May 20	Do	Do	Do
Do	Feb 6. 1740	1741	June 24	Do	Do	Do
Do	Jan 5. 1742	1742	Jan 5	Do	Do	Do
Do	Jan 28. 1742	1743	May 20	Do	Do	Philip Douglass
Do	Do 15. 1742	Do	Do	Do	Do	Do
Do	Dec. 14. 1741	Do	Do	Do	Do	Do
Do	Do 9. 1741	1742	Jan 25	Do	Do	Do
Do	Nov. 22. 1741	1743	May 20	Do	Do	Do
Do	Dec 11. 1741	1742	Jan 25	Do	Do	Do

1741

The Date of the Govr.s Warr.t	The Date of the Sur Gen.ls Ret	Where to be survey'd	Quantity	Quantity survey'd	Owners Names	County or Township
1741 June 27	1741 June 29	Welch Tract	100	100	Abel Evans	Welch Tract
1737 June 7	1737 June 7	Amelia	200	200	Wm. Camel	Amelia
1738 Apl 26	1738 July 17	Do	100	100	Peter Crim	Do
1735 Oct. 6	1735 Oct. 6	Do	100	100	Thos. Weekly	Do
1737 July 15	1737 July 19	Do	100	100	Mary Haggart	Do
1739 Apl 10	1739 Apl 10	Orangeburgh	150	150	Hans Toman	Orangeburg
Do Mar. 5	Do Mar. 5	Do	50	50	Rebecca Redden	Do
Do Do	Do Do	Do	50	50	Eliz Redden	Do
1736 Oct. 14 / Mar 2	1736 Oct. 14 / Mar. 2	Do	350 / 50	400	John Meyer	Do
1739 Nov 5	1739 Nov. 5	Do	50	50	Kilian Tappe	Do
1738 June 24		Do	400	400	Geo. Schuler	Do
1736 Oct. 14	1736 Oct. 14	Do	300	300	Hans Amacher	Do
1739 Apl 7	1739 Apl. 9	Do	100	100	John Geo. Hirtch	Do
1738 June 24		Do	550	550	Jno. Shaumloffal	Do
1736 Oct. 14	1736 Oct. 14	Do	250	A	Ann Maria Till	Do
1739 Nov. 5	1739 Feb. 19	Do	150	150	A. M. Berishberger	Do
	1739 May 11	Welch Tract		100	Jno. Newberry	W. T.
1742 Oct. 15	1742 Oct. 16	Do		200	Do	Do
1742 Oct. 15	1742 Oct. 16			300	Wm. Cary	Do
1741 Jan 26	1741 Jan 26		150	150	Danl. Mallahan	Do
Do	Do	Do	400	400	Wm. Jones	Do

Deputies Names & Date of Certificate		When returned into the Office		When certified by Sur Genl		To whom delivered
Geo Pawley	Dec. 11 1741	1743	May 20	1743	Jan 3	Philip Douglass
Geo. Haig	Nov. 24. 1737	1738	Jan 5	Do	Do 6	James Maxwell
Do	Sept 9 1738	1739	Jan 25	Do	Do	Do
Pr. Faur	Oct. 27 1735	1735	Dec. 5	Do	Do	Do
Geo. Haig	Nov. 24 1737	1738	Jan 5	Do	Do	
Do	Dec. 5. 1740			Do	Do	
Do	Do			Do	Do	
Do	Do			Do	Do	
Do	Oct 8 1737			Do	Do	
Do	Dec 2. 1740			Do	Do	
Do	June 12. 1739	1739	July 25	Do	Do	
Do	Oct 2. 1737	1738	Jan 5	Do	Do	Jere Theus
Do	July 26 1739	1739	Oct. 28	Do	Do	Do
Do	Dec. 18 1738	1739	July 25	Do	Do	Do
Do	Oct. 8 1737	1739	Jan 5	Do	Do	
Do	Dec. 2 1740	Do	Do	Do	Do	
Geo. Pawley	Jan 14. 1740	1743.	Jan 6			
Do	Do	Do	Do			
Do	Dec 1. 1742	1742	Jan 25	Do	Do 13	The Owner
Do	Jan 5. 1742	Do	Do			Wm Jones
Do	Do	Do	Do			Do

1739

The Date of the		Where to be		Quantity Survey'd Owner's name		
Gov^rs Warr^t	Sur. Gen^ls Rec^t	Surv^d & Quantity		& County or Townsp.		
1739 Dec. 13	1739 Dec. 14	Welch Tract	50	50	Thos Walley	W. Tract
				300	John Gibson	Saxe Gotha
1743 Jan. 18	1743 Jan 18	D^o	50		Wm Carey	
D^o D^o	D^o D^o	Colleton	400		Jno Jarvey	
1732 Jan. 21	1732 Jan 21	General	500	500	David Jefferys	Colleton
1739 May 11	1739 May 12	D^o	1100	146	Col. Wm Hazard	Craven
1743 Jan. 24	1743 Jan 24	Queenboro	100		Jos. Mills	
1733 Aug. 28	1735 June 4	General	200	200	Nich^s Haynes	Craven
1733 Feb. 8	1733 Feb. 8	D^o	500	183	Edwd Danelly	Berkley
1735 Jan. 24	1736 Sept. 25	D^o	700	231 } 469 }	Geo. Mc Nichol	D^o
1737 May 7	1737 May 7	Saxe Gotha	150	150	Wm Baker	Saxe Gotha
D^o D^o	D^o D^o	D^o	350	350	R^d Myrick	D^o
1742 Oct. 7	1742 Oct 9	Orangeburgh	600	400	Peter Negerlie	Orange^g
1731 Mar. 4	1743 Feb 16	General	1000	62	Thos Ashby	Berkley
1743 Feb. 23	1743 Feb. 23	Welch Tract	100		Saml. D Savrance	
D^o D^o	D^o D^o	D^o	100		Danal Mc Danal	
1735 Feb. 17	1736 Feb. 3	General	1550	100	Jas. Stobo	Colleton
1743 Mar. 9	1743 Mar. 9	Watere	200		Jas Shelton	
1736 Jan. 14	1736 Jan 14	General	800	800	Isaac Porcher	Berkley
1731 Dec. 28	1732 May 19	D^o	3150	500	D^o	D^o
1741 June 27	1741 June 29	Welch Tract	100	100	Jno Carter	Welch Tract
1741 Nov. 12	1741 Nov. 13	D^o	200	200	Jno Booth	D^o

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Deputies Names & Date of Certificate		When returned into the Office	When Certified by Sur Genl	To whom delivered
Geo. Pawley	May 18. 1740	1741 June 24		Thos Blyth
Geo. Haig	apl 2. 1736	1736 May 8	1736 apl 2	Corker
Wm McPherson	June 16. 1739	1739 June 16	1743 Jan 19	John Rice
Do	June 23 1742	1743 Jan 23	Do Feb 16	Jas Fraser
Geo. Haig	June 13. 1735	1735 July 19	1743 Jan 27	The Owner
Hugh Rose	Feb 24. 1740	1740 Mar 2	1743 Feb 1	The Owner
Geo. Haig	{ Feb 13. 1737 Jan 18. 1739	1738 Mar 2 1743 Feb 8 }	Ja Mc	Jas McKelvey
Do	Feb. 8 1737	1738 Jan 5	1743 Feb 11	Jas Dart
Do	Nov. 19 1737	Do Do	Do Do	Do
Do	Jan 14. 1743	1743 Feb 8	Do Do 14	Do
J. Gough	Mar. 6. 1743	Do Mar 12	Do Mar 6	The Owner
Wm Smith	June 8. 1743	1743 Feb 25	1743 June 8	John Ryly
Is Porcher	Nov 7 1737	1743 Mar 12	1743 Mar 13	} Holmes
Do	Do	Do Do	Do Do	
Geo. Pawley	Dec 2 1741	1743 May 20	1743 May 20	Jas. Gillespie
Do	Dec 16 1741	1743 Mar 19	Do Do	Do

1737

6.

The Date of the		Where to be Survd. & Quantity		Quantity Survey'd Owners name & County or Township.	
Govrs. Warrt.	Sur. Genls. Cert.				
1737 Dec. 17	1737 Dec. 17	General	200	200	Thos. Groom Craven
1736 Sept 2	1736 Sept 4	Do.	600	259	Peter Boinoist Do.
1743 Oct. 12	1743 Oct. 12	Saxe Gotha	150	150	John Grange S. Gotha
1737 Dec. 10	1737 Dec. 10	Genl.	1400	31	Jas. Berrie Colleton
1734 Oct. 22	1734 Oct. 22	Do.	550	110	Jas. Gantlet Berkley
1744 apl. 13	1744 apl. 13	Special	400		Lewis Linder
Do. Do.	Do. Do.	Do.	300		Jacob Budge
1738 June 24	1738 Sept 6	Orangeburg	450	450	Michl. Murphey Ox
1743 Feb. 2	1743 Feb. 2	Special	200		Jas. Lesesne
1744 apl. 14	1744 apl. 14	Do.	450		Michael Murphey
Do. Do.	Do. Do.	Saxe Gotha	100		Jno. Wersingher
Do. Do. 27	Do. Do. 27	Kingston	550		Edwd. Rouse
1732 Sept 4	1732 Oct. 19	General	850	768	Joshua Wilkes Craven
				67	Do. Berkley

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Deputies Names & Date of Certificate	When returned into the Office	When Certified by Sur Genl	To whom delivered
Jas. Gillespie Mar 14.1738	1739 May 31	1743 May 20	Jas. Gillespie
Isaac Porcher May 5.1737	1737 May 11	Do Do	Is Couturier
G. Haig Jan 27.1743	1743 May 19	Do Jan 27	Jno. Dart
Wm. McPherson Jan 8.1737	1738 July 29	Do Mar 22	The Owner
Wm. Smith Mar 10.1743	1743 Mar 12	Do Mar 12	Wm. Smith
Geo. Haig Dec 20.1738	1739 July 26	1744 Apl 14	Jno. Dart
Thos. Nitter Mar 27.1736 } Do Apl 1.1736 }	1744 Apl 21	1744 Apl 21	John Daniel

Geo. Hunter. Surveyor General.

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B. P. R. O. So Carolina B. T. Vol. 13. H. 24 (enclosure to H. 22.)
(30 april 1744.)

A List of Grants passed since April 4th 1743 (Mr St John's Death) to April 30th 1744 recorded in the Secretarys Office. G. H. being then one year in the Office of Inspector & Controller.

The Quit Rent commences ten years after the date of the Grant.

Grantees	acres	Township	When Granted	
John Wilson	350	Kingston	1743 apl	9
Wm McKnight	300	Williamsburgh	Do	Do
Do ———	150	Do ———	Do	Do
Peter Lafite	224	Purrysburgh	Do	Do
Geo Telebacke	250	Do	Do	Do
Henry Defaure	50	Do	Do	Do
Henry Heberdosser	100	Do	Do	Do
David Ginger	300	Do	Do	Do
Francis Lewis Recorder	100	Do	Do	Do
Adam Guillat	250	Do	Do	Do
An Maria Egnier	150	Do	Do	Do
Jno Henry Meyerhoffer	100	Do	Do	Do
John Michal	46	Do	Do	Do
Do ———	22	Do	Do	Do
Do ———	30	Do	Do	Do

Jne

Grantees	acres	Township	When Granted	
Jno. Labord	150	Purrysburgh	1743 Apl	9
Peter Delmestre	200	Do.	Do.	Do.
Geo. Mingersdorff	50	Do.	Do.	Do.
Peter Lutie	50	Do.	Do.	Do.
Jno. Martin Lasman	250	Do.	Do.	Do.
Hans Ulrick Isong	60	Do.	Do.	Do.
Danl. Shippard	60	Do.	Do.	Do.
Andw. Iaton	50	Do.	Do.	Do.
Sevastian Zouberbukler	100	Do.	Do.	Do.
Henry Merirhoffer	100	Do.	Do.	Do.
Peter Maillier	200	Do.	Do.	Do.
Isaac Overy	200	Do.	Do.	Do.
Hugh Rose	50	Do.	Do.	Do.
Do. —	400	Do.	Do.	Augt. 24
David Pierre Humber	200	Do.	Do.	Do.
Huget Piach	50	Do.	Do.	Do.
Henry Bourquin	100	Orangeburgh	Do.	Do.
Geo. Haig	150	Saxe Gotha	Do.	Do.
Henry Snell	350	Orangeburgh	Do.	Nov. 11
Elias Snell	100	Do.	Do.	Do.
Jno. Fritchman	200	Do.	Do.	Do.
Jno. Watson	150	Williamsburgh	Do.	Do.
Geo. Boros	100	Do.	Do.	Do.
				Do.

Grantees	Acres	Township	When	Granted
Wm Orr	300	Williansburgh	1743	Nov 11
Jno Lemon	300	Do	Do	Do
Henry Chefell	450	Purysburgh	Do	Do
Jno Frat Henry	100	Do	Do	Do
Danl Abrm David &			Do	Do
Margt Huguenin	200	Do	Do	Do
Saml Brown	250	Queenboro	Do	Do
Danl Mallahan	150	Welch Tract	Do	Jan 18
Wm Jones	400	Do	Do	Do
Thos Walley	50	Do	Do	Do
Saml Chubb	150	Saxe Gotha	Do	Feb 22
Thos Liever	50	Do	Do	Do
Nicholas Bonnie	50	Do	Do	Do
Jacob Annis	50	Do	Do	Do
Ul Bachman	150	Do	Do	Do
Christian Rheldyery	100	Do	Do	Do
Hendk Sneyder	250	Do	Do	Do
Henry Lockly	100	Do	Do	Do
Jacob Haghebucher	100	Do	Do	Do
Antony Green	250	Kingston	Do	Do
Martin Schude	300	Orangeburgh	Do	Mar. 1
Michl Christ Rowe	100	Do	Do	Do
Eliza Hesse	50	Do	Do	Do
				marg

Grantees	acres	Township	When Granted	
Marg^t Herse	50	Orangeburgh	1743	Mar. 1
Jno Velstein	250	D^o	D^o	D^o
Ad^m Jutz	50	D^o	D^o	D^o
Peter Huber	150	D^o	D^o	D^o
Valent Jutz	400	D^o	D^o	D^o
Jacob Schuler	400	D^o	D^o	D^o
Isaac Hotto	350	D^o	D^o	D^o
Peter Roth	1	D^o	D^o	D^o
Evan Harry	100	Queenboro'	D^o	D^o 2
Danl Houfnal	200	D^o	D^o	D^o
Thos James	650	D^o	D^o	D^o
Wm Camel	200	Amelia	D^o	D^o
Peter Crim	100	D^o	D^o	D^o
Thos Weekly	100	D^o	D^o	D^o 8
Audley Maxwell	450	D^o	D^o	D^o
Ant^y Stack	50	Saxe Gotha	D^o	D^o
Jno Gibson	300	D^o	D^o	D^o
Fred^k Arnold	150	D^o	D^o	D^o
R^d Myrick	350	D^o	D^o	D^o
John Granget	150	D^o	D^o	D^o
Wm Baker	150	D^o	D^o	D^o
Johannah Johnson	600	Kingston	D^o	D^o
				Exd^d

The Quit Rent commences from Date of the Grant			
Grantees	Acres	County or Township	When Granted
Edwd. Keating	300	Berkley	1743 Aug 24
Wm. Coran	100	Do.	Do. Do.
Henry Sanway	81	Do.	Do. Do.
Cultcheth Golightly	81	Colleton	Do. Do.
Wm. Sterling	300	Do.	Do. Do.
Exors of Rothmahler	400	Craven	Do. Do.
Ml Anto. Abergotti	200	Granville	Do. Do.
Jas McPherson	500	Do.	Do. Nov. 11
Jno. Phipps	400	Craven	Do. Do.
Grafton Kirvan	100	Do.	Do. Do.
Jno. Westfield	300	Welch Tract	Do. Do.
Thos. Evans	400	Do.	Do. Jan. 18
Wm. Carey	300	Do.	Do. Do.
Mary Evans	300	Do.	Do. Mar 2
David James	400	Do.	Do. Do.
Philip James	250	Do.	Do. Do.
Abel James	300	Do.	Do. Do.
Thos. Evans	250	Do.	Do. Do.
Jeremh. Rowel	150	Do.	Do. Do.
Sampson Thomas	400	Do.	Do. Do.
David Harry	125	Do.	Do. Do.
Daniel James	350	Do.	Do. Do.

Walter

Grantees	Acres	County	When Granted
Walter Dowse	200	Welch Tract	1743 Mar. 2
Ja. Roger	50	Do	Do Do
Evan Vaughan	350	Do	Do Do
Griffith Joh	100	Do	Do Do
Geo. McNickle	461	Berkley	Do Mar. 8
Do —	239	Do	Do Do
Elihu Baker	150	Colleton	Do Do
Wm Buchanan	40	Do	Do Do
Jas Crawford	186	Craven	Do Do
Wm Howell	200	Do	Do Do
Wm Belin	450	Do	Do Do
Jas. Crokatt	214	Do	Do Do
Elias Foisin	250	Do	Do Do
Geo. Sanders	300	Do	Do Do
Moses Miliken	350	Do	Do Do 10
Philip Douglas	300	Welch Tract	Do Do
Wm James	400	Do	Do Do
Nich. Rogers	350	Do	Do Do
Saml. Sorance	100	Do	Do Do
Wm Tarrell	200	Do	Do Do
Jno Jones	250	Do	Do Do
Joab Edwards	200	Do	Do Do
John Jones	500	Do	Do Do

James

Grantees	Acres	County	When Granted	
James Rowland	150	Welch Tract	1743	Mar. 10
Jas. Stobo	100	Colleton	Do	Do
Davd Jeffreys	500	Do	1744	Apl 2
Rd Woodward	173	Do	Do	Do
Col. Wm Hazard	146	Granville	Do	Do
Danl Laroche	360	Craven	Do	Do
Do —	550	Do	Do	Do
Nichl Haynes	200	Do	Do	Do
Peter Benoist	259	Do	Do	Do

These Grantees above the Red Line had their Grants passed after Mr St John's Death & before I held office. These above the Red pricked line were by me given in, in the last half years Report dated the 30th day of Octr 1743 exclusive of Mr Haigs, his Grant not being then Recorded

Certified by me this 30th Day of April 1744

George Hunter

Inspector and Comptroller

Recd Sept ye 10th }
Read — 27th } 1744

recd with Mr Hunters letter dated the 11th of June 1744

B.P.R.O. So Carolina B.T. Vol 13. H.19

(19th June 1744)

At the Council Chamber Whitehall
the 19th of June 1744

By the Right Honourable the Lords of the Committee for Plantation Affairs.

His Majesty having been pleased by his Order in Council of the fourteenth of this instant to referr unto this Committee the humble Petition of James Maxwell and Cornelius Doharty of South Carolina Indian Traders, in behalf of themselves and others Inhabitants of the said Province Setting forth that they have purchased of the Cherokee Indians a Tract of Land lying in their Nation, wherein the Petitioners have discovered appearances of Iron Tin Lead & Copper with a Mixture of Silver, and humbly praying for the Reasons contained in the said Petition that His Majesty would be pleased to grant to the said Petitioners and their Assigns the said Tract of Land according to the Tenure of the Indian Title, with all the mines and Minerals therein contained or in such other Manner with such enlargements Restrictions Limitations and Reservations as to His Majesty should seem meet – The Lords of the Committee this day took the same into Consideration and

and are hereby pleased to Refer the said Petition (a Copy whereof is hereunto annexed) to the Lords Commissioners for Trade and Plantations to consider the same and Report their Opinion thereupon to this Committee. —

W. Sharpe.

Rec^d June 27th } 1744
Read D^o }

(Enclosure.)

To the Kings most Excellent Majesty.

The humble Petition of James Maxwell and Cornelius Doharty of South Carolina Indian Traders on behalf of themselves and others Inhabitants of the said Province

Most humbly Sheweth.

That the Cherokees a Numerous nation of Indians Scituate several hundreds of Miles to the Westward of the Settlements made by Your Majesty's Subjects in South Carolina have been many years Your Majesty's Allies, and good Friends to the Inhabitants of the said Province between whom and the said Indians a very advantageous Trade has been always carryed on by Virtue of sundry Treatys or Talks from Time to Time concluded with them by

by Your Majesty's Gov.rs

That the Cherokees have always claimed the property of the Lands on which they and their Ancestors have been settled for a time immemorial which has never been controverted by Your Majestys Governors in any of the said Treatys and upon a strict adherance to these terms as well as the other Articles contained in the said Treatys they have been induced for so long a time to continue in strict amity and Friendship with Your Majestys Subjects of this Province and are now become a strong Barrier to the Westward against the French and the numerous Nations of Indians de-pending on them and in their interest on that side

That the French are so sensible of the Strength of this Barrier as well as the many advantages ac-cruing to the British Empire from the strict amity hitherto maintained with the Cherokees that they are daily endevouring to weaken their Friendship with Your Majestys Subjects to draw them over to their particular Interest and by these means to obtain a settlement among them which if not prevented may possibly be attended with consequences very detrimental to Your Majesty's American Dominions —

That Your Majesty's Petitioners during many

Years

years wherein they have constantly traded with the Cherokees have been apprehensive of the Danger of a French Settlement there and have always used their utmost endeavours to prevent any Communication between them and lately when matters were brought so far that a Deputation from the Chief men of the Nation was actually going to the French Settlements in Order to conclude a Treaty, Your Majestys Petrs with some other Indian Traders effectually put a stop to it by representing to them that the French had it not in their Power to furnish them with so good Commoditys and at such easy rates as their Old allies with whom they had been in Friendship so many Years and who had never imposed upon them in the Prices of their Goods or traded otherwise than had been Stipulated by talks or Treatys which so far prevailed with the Indians that they laid aside their design of Treating with the French at that time and seemed resolved for the future to continue their ancient Friendship with Your Majestys Subjects without making new alliances with Strangers. —

That this favourable Conjuncture and disposition of the Indians seemed to Your Majesty's Petrs a proper opportunity

opportunity of tying the Bond of friendship more fast and of preventing the design long entertained by the French of getting footing amongst the Cherokees and therefore Your Majesty's Petrs proposed to purchase the property of a Tract of Land containing in length about eight Miles and in breadth about Six miles in the Cherokee Nation for a valuable Consideration which the Indians readily agreed to and accordingly in their method of transferring the Property of Lands convey'd to Your Majesty's Petrs their Heirs and Assigns for ever All those Lands and Territorys lying in the Cher-okee Nation within a Line beginning at a Creek called Aqua-ne-wa-rotee down the River Yew-facee to Custowee and up the River Tellicoe by Connostee and little Tellicoe to the beginning of the long Savanna called Co-a-tee Con-na-hetta and from thence to the Tuskequa Mountain with all the privaleges Rights Members appertenances and hereditaments whatsoever to the said Lands and Towns and each and every of them respectively belonging or in any wise apper-taining And also all the Woods Timber and timber Trees therein or thereon growing or being. And all the Mountains Hills Wastes Waters Watercourses and all mines Minerals and Metals whatsoever in or upon the

the same, and whether the same be now opened digged up or Discovered or which shall or may hereafter be digged up opened or discovered, and whether the same be or contain Gold or Silver Copper Lead Tin Iron or any other sort of mineral Metal or Precious Stones within the Lands Territorys or Premises aforesaid or any of them respectively. To have and to hold all and singular the said Lands Hereditaments and Premises and every part and parcel thereof unto Your Majesty's Petrs their Heirs and Assigns as long as the Sun shall shine or the Waters run in the Rivers for ever. Saving nevertheless and reserving to the said Indians and their Heirs the free use and Liberty of fishing in the Waters and Rivers and hunting in the woods aforesaid and the free use of all or any the Planting Lands within the Limits aforesaid and of freely tilling Planting and Manuring the same for ever.

That for several years Your Majestys Petrs have with great trouble and expence been Searching for Mines and Minerals in the Cherokee Mountains and have lately had the good fortune to discover very good symtoms and appearances of Iron Tin Lead and Copper with a mixture of Silver in the Lands

Lands conveyed to them by the Indians which to-
-gether with the other Reasons above humbly repres-
-ented and lest the French should have notice of
it and thereupon renew their attempts with more
rigour upon the Cherokees induced us immediately
to embrace so favourable an opportunity of pro-
-curing the Indian Title intending with all expedition
to make what further Discoverys we possibly could
in those Lands and to erect some place of security
against any sudden attack of the French or the
Indians in their interest which the Cherokees
had often desired us to do as the best means to
Secure Your Majesty's Subjects as well as themselves
against their Enemys But as these undertakings
must unavoidably be attended with a greater
expence than Your Majesty's Petrs are able to
defray from their own private fortunes, they have
applied to sundry Gentlemen in South Carolina
for assistance who have chearfully contributed to-
-wards the said expence upon our covenanting to
Convey to them respectively according to the propor-
-tions agreed on Shares of the said Lands Mines and
appertenances as soon as the same shall be Confirmed
to us in such manner as Your Majesty shall graciously
think

think fit —

That to evince the plain honesty and open integrity of Our Intentions and that Your Majesty may be thoroughly apprized of all the matters above represented we in the most humble and most dutiful manner beg leave to lay this true and impartial state of them at your most Sacred Majesty's feet and humbly Pray that the same may be taken under your Majestys Royal Consideration. And that Your Majesty may be graciously pleased to Grant us the said Lands in the Cherokee Nation mentioned in this our humble Petition according to the tenour of the Indian Title with all the Mines and Minerals therein contained or in such other manner with such enlargements restrictions limitations or reservations as in Your Majesty's great goodness — justice and Wisdom shall seem meet

And Your Majestys most dutiful Subjects and humble Petrs. as in Allegiance and Duty bound shall ever pray &c.

James Maxwell.
Cornelius Docherty.

B.P.R.O. So Carolina B.T. Vol 13. H. 20.

(19th June 1744).

At the Council Chamber Whitehall.

the 19th of June 1744.

By the Right Honourable the Lords of the Committee of Council for Plantation Affairs

His Majesty having been pleased by His Order in Council of the 14th of this Instant to referr unto this Committee the Petition of the Trustees for establishing the Colony of Georgia in America setting forth that a Petition signed by James Maxwell and Cornelius Dockerty Carolina Indian Traders in behalf of themselves and others Inhabitants of the Province of South Carolina hath been presented to His Majesty whereby they set forth that they have lately discovered very good Syntoms and Appearances of Iron Tin Lead and Copper with a mixture of Silver and therefore Pray his Majesty will be pleased to Grant them the said Lands — That the said Trustees beg leave to represent that the said Mines are described to be in the midst of the Nation of Cherokee Indians and are within the Limitts of the Territorys granted by His Majesty's Charter to the said Trustees — But if the said Mines should not be found to be within the Province of Georgia, the Petitioners apprehend it would be

be of very dangerous consequence to grant Royal Mines so Scituated to any private Persons who by being far removed from the seat of Government in either of the Provinces of South Carolina or Georgia may by their Disorderly behaviour occasion great Quarrels and Disturbances between His Majestys subjects and the Indians The Petitioners therefore Pray that no such Grant may be made or that the Petitioners may be heard before the granting of the same. — The Lords of the Committee this day took the said Petition into their Consideration and are hereby pleased to refer the same (a Copy whereof is hereunto annexed) to the Lords Commissioners for Trade and Plantations (to whom the Petition of the said James Maxwell and Cornelius Dockerty, and also an Address and Petition of the Commons House of Assembly of South Carolina relating to this affair stands referred) to consider the whole matter and Report their Opinion thereupon to this Committee. —

W. Sharpe.

Rec.d
Read } June 27th 1744.

(Enclosure)

(Enclosure)

To the Kings most Excellent Majesty in Council
The Petition of the Trustees for establishing the Colony of Georgia in America.

Humbly Sheweth.

That Whereas a Petition signed by James Maxwell and Cornelius Dockerty, Carolina Indian Traders in behalf of themselves and others inhabitants of the Province of South Carolina has been presented to Your Majesty setting forth that they have purchased a Tract of Land containing in length about Six miles and in breadth about six miles in the Cherokee Nation for a valuable Consideration which the Cherokee Indians in their Method transferred to them And that they have lately discovered very good Symtoms and appearances of Iron Tin Lead and Copper with a Mixture of Silver in the Lands conveyed to them by the Indians and therefore praying Your Majesty will be graciously pleased to grant them the said Lands in the Cherokee Nation mentioned in their Petition.

Your Petitioners humbly beg leave to represent to Your Majesty that the said Mines are described to be in the midst of the Nation of Cherokee Indians and being Southward of one or more Branches of the River Savannah

Savannah are within the Limits of the Territorys granted by Your Majestys Royal Charter to the Trustees for Establishing the Colony of Georgia by which all Mines as well Royal Mines of Gold and Silver as others within the said Territorys are already granted to the Trustees.

But if the said Mines should not be found to be within the Province of Georgia Your Petrs. beg leave to offer to Your Majesty's Wisdom how dangerous it may be to grant Royal Mines so Scituated to any Private Persons who by being far removed from the Seat of Government in either of the Provinces of South Carolina or Georgia may by their disorderly Behaviour occasion great Quarrels and Disturbances between Your Majestys Subjects and the Indians and thereby give an Inlet to the French which may be attended with consequences very fatal to both Your Majesty's Provinces especially at a time when Your Majesty is engaged in a War with France

Your Majesty's Petrs. therefore humbly Pray that no such Grant may be made; Or that Your Majesty's Petr. may be heard before the granting of the same.

By Order of the Trustees
Benj: Martyn Secry.

B.P.R.O. So Carolina B.T. Vol. 13 H 30

(25th June 1744)

May it please Your Lordships

His Excellency the Governor of this Province will in due time according to His Majestys Instructions cause to be transmitted to Your Lordships

An Act to remedy some defects in His Majestys Rent Roll and to enable the Officers of the Revenue to make a more perfect Roll of His Majestys Quitrents all such persons as upon transferring their property shall enter Memorials of such Transfer in the Auditor's Office, pay the Quitrents due, and comply with the other directions of this Act.

As this Act was brought before the General Assembly in consequence of a Memorial laid before Lieutenant Governor Bull by Henry McCulloh Esqr. Commissioner and Inspector of His Majestys Quit Rents and was recommended by the Lieutenant Governor to the consideration of the Assembly I have presumed humbly to lay before Your Lordships an account of some proceedings which passed in this Province before the Act which will be transmitted, was brought into the General Assembly and I have at the same time taken the liberty to submit to Your Lordships con-
-sideration

-sideration some remarks that relate to the subject matter of this Act I have also attempted to give Your Lordships a short view of the Revenue by Quit Rents which His Majesty ought to receive from this province with the probable means of their being better and more duely accounted for hereafter.

The present Officers of the Revenue I am per-suaded have a very just inclination faithfully to discharge their trusts, I dare venture to acquaint Your Lordships that the Gentleman who is now Receiver General has made much larger Collections than perhaps it was in the power of his predecessor to do, but yet I am assured he is very sensible that they are far short of what ought to be paid, he is obliged nevertheless to receive them as the laws in being enable him if there should appear to Your Lord-ships any defects in that respect or any other dif-ficultys or obstructions should arise by which His Majesty may be delay'd or prevented from recovering his just right it will certainly meet with Your Lord-ships due consideration and the Officers of the Revenue may be assured of all proper and necessary assistance.

It is chiefly with this view, My Lords that I have presumed to trouble Your Lordships with the

above

above remarks, they are for the most part founded on local facts and circumstances which might not by any other means, so easily fall under Your Lordships observation which is the best apology I am able to make for intermeddling in affairs which if I had not been applied to might have been thought more properly to belong to the province & business of others.

I have for many years had the honour to serve his Majesty in different stations in this Province and at present by His Majesty's Grace and favour am intrusted with the Administration of Justice in his supreme Courts of Judicature here. As I ever thought it my duty so it has been perfectly agreable to my inclination to assist his Officers and to apply such things as I have collected by observation or experience to promote to the utmost of my abilities his Majesty's interest. If in the present attempt I have in the least degree contributed any thing to it and if what I have aimed at shall meet with Your Lordship's approbation my utmost desires will be satisfied

I am

My Lords

Your Lordsp's most obedt & most humble Servt

Benjn. Whitaker

South Carolina

26th June 1744

Recd Aug 21st
Read Oct 24th } 1744

B. P. R. O. So Carolina B. T. Vol. 13 H. 31. (enclo. to H 30)

(20 Jan. 1742)

To Benjamin Whitaker Esqr.

Sir,

His Majesty by the Directions given in my Commission which is upon Record strictly charges & commands his Govr., Lieut Governors, Commanders in Chief and all other Officers whatsoever Ecclesiastical Civil or Military, and all other his loving Subjects in this Province that they be at all times ready and assistant to me in the execution of the trusts re-posed in me under my Commission and the Instructions to which the same relates.

Having try'd all methods in my power to settle & determine the disputes subsisting with several Gentle-men in this Province who have irregularly obtained Grants that were not issued in pursuance of his Majesty's Instructions and for which they have not paid their Quit-rents, nor entered Memorials of their Grants or Mesne Conveyances in the Auditors Office. I humbly conceive that I am under an indispensable necessity to order his Majesty's Attorney General to prosecute such Defaulters as the Law directs. But as a doubt arises to me whether the Jurisdiction of

of the Court of Common Pleas, or what is termed here the Court of Kings Bench will support the proceeding by information so as to have the desired effect.— I beg leave previous to my giving any directions to the Attorney General on this head to have your opinion aid & advice thereupon. And that if you are of opinion that for want of a proper Jurisdiction in the Courts of Law that it is not for His Majesty's service to proceed, I am in that case to pray the favour that you would be pleased to offer your reasons in writing that the same may be Transmitted home in order to have further directions in relation to the same

P.S. I have enclosed you a Copy of my Letter to the Attorney General.

I am
Sir
Your most Obedient &
Most humble Servant
Henry McCulloh

Charlestown 20th Jany 1742.

His Majesty's Chief Justice in the Province of So. Carolina

(recd with Mr Whitakers letter dated ye 25th June 1744)

B. P. R. O. So Carolina B. T. Vol. 13 H. 32. (enclo: to H 30.)
(21 Jan. 1742/3)

Sir,

I have been favoured with your letter of yesterday's date and as I think it my duty, so I have ever had the readiest inclination to assist every Officer of the Crown in this Province to the Utmost of my Power and ability in whatever was proper for me in the Station I now hold and you may be assured I shall be full as ready in a particular manner to give you the best assistance I am able, as his Majesty has been pleased to honour you with a Commission of so great trust and Importance.

I shall therefore take the liberty to acquaint you That the Jurisdiction of the Courts of Law in this Province (as they are restrained and limited by particular provincial acts) are in many cases defective and insufficient to administer Justice to His Majesty for the effectual securing and recovering His Majesty's Rights and Revenue, the instances are too many to be contain'd within the compass of a letter.

The only Common Law Courts in this Province are the Court of Common Pleas, and the Court of General Sessions

Sessions which exercises a jurisdiction like to that of the Court of Kings Bench in England in Criminal matters only, not in Civil Causes. We have no Court of Exchequer or any other Court of the like jurisdiction.

When I saw your Commission I was apprehensive you might meet with some difficultys in carrying it effectually into execution I therefore drew up some observations on the present state of the Courts of Judicature in South Carolina, principally with a view to point out the most material defects in the administration of Justice with respect to the Rights and Revenue of the Crown – It was impossible for me to get them ready before you left the place or I should have communicated them to you before they went any further, but as the time of your return was unknown to me I have since transmitted them to His Excellency Governor Glen for his perusal before he comes abroad to the end that before he receives his final Instructions he may if he thinks proper lay them before the Right Honble the Lords Commissioners for trade and plantations.

I am very sorry, Sir, that I am obliged further to acquaint you that I have very little assistance or encouragement from this Government in the prosecution

prosecution of my Duty. The Common business of my Office engages the greatest part of my time, the fees and profits which arise here would not support me with common decency. If I was not assisted by my own private fortune I have desired nothing more than my Predecessors enjoy'd tho' they commonly resided in the Country, and made the office almost a sinecure there is at present a great probability+ that the profits of the Office, low as they now are will be considerably reduced as well as those of several other Officers of the Crown.

I am not at all anxious about what may concern me personally but I think it would be very unbecoming in me, by too early an acquiescence to suffer the value of the Office to be diminished when it shall come to be enjoy'd by any Successor, if the Officers of the Crown by reducing their accustomed allowances are made too dependant on the people 'tis easy to judge of what consequence it will be to the King's Government However I am determined at all events and under every discouragement that can happen, faithfully and diligently to persevere in doing my duty to the Crown as long as His Majesty shall be pleased to continue me to be Chief Justice, from a consideration of the importance of

of the trust & a due sense of the obligations I am
under

I am

Sir

Charles Town

21 Janry 1742

your most obedient
and most humble Servant
Benjamin Whitaker

* By an Act of the General Assembly
then depending and since passed. viz.
7th May 1743. with a saving clause
Intituled" an act for ascertaining
Public Officers fees.

To Henry McCulloh Esqr Commissioner of His Majesty's Quit rents &c.

(recd with Mr Whitaker's letter of 25 June 1744)

B. P. R. O. So. Carolina B. T. Vol 13. H. 33 (Enclo. to H 30.)
(23 Jan 1742/3)

Sir,

I received the favour of your letter dated the 21st instant and as I apprehend it may be for His Majesty's service, I shall with great freedom communicate to you what steps I am to take at present in pursuance of my Instructions. It is well known to you the opposition that has been given to me and altho the orders and directions signified by my Commission to the Governor and all other Officers of the Crown are very extensive and strongly worded, yet little or no regard has been paid to any orders or Directions that have been given me in pursuance of my Commission.

The Governor and Council have not only thought proper to oppose me in the first exercise of the powers granted to me, but have all along pursued their former method in granting of Lands, and the Secretary, Clerk of the Council and several other Officers have denied laying before me such papers as I have demanded of them. These proceedings in the first instance must necessarily defeat the intention of my Commission, and is indeed, in fact

fact suspending from the exercise of the powers gran-ted me under my Commission and the Instructions to which the same relate.

The tender regard which His Majesty has upon all Occasions shewed to his Subjects in those Provinces, I most humbly conceive was a Motive to His Majesty to appoint an Officer for those special uses set forth in my Commission, that had no executive power under the Government, That he might not from any particular motives or interest be led from his Duty, But it could not be presumed at the same time, that the Officers of the Crown would act so openly in contempt of His Majesties orders which in its consequence must unhinge and quite destroy the very being and Dependancy of the Government.

From these reasons I apprehend that it is a duty incumbent on me immediately to pursue the directions given in my 19th & 20th Instructions Namely first to represent to His Majesty the conduct of such Officers as have not acted agreable to His Majesties Orders, and afterwards in all humble manner to lay before His Majesty such observations and inform-ations as I may judge necessary for His Majesties service

service. By this last Instruction I am directed not only to report upon such matters as are im-mediately under my Inspection, but also upon all matters and things whatsoever which may have any concern or relation to the Government of this Province. Therefore I intend in the Representation which I shall draw up (and which I intend to serve the Governor in Council with a Copy of) to represent to His Majesty the Difficulties I am under from the Jurisdiction of the Courts of Law being limited and restrained by particular Provincial Acts And also the inconvenience that may arise from the Governor and Councils determining matters of property in the first instance, which I humbly conceive breaks in upon the Constitution and confounds the Jurisdiction of the Courts of Law.

Those two points are matters that are more immediately under your observation And if you will be pleased to give me your thoughts upon these subjects in writing I apprehend that it will be for His Majestys Service to transmit the same along with the Representation which I shall send home. I am informed the Affairs of America will soon be taken very seriously into Consideration

Consideration, and it is absolutely necessary at this juncture that all affairs relating to this Province should be represented home in the clearest manner

I am

Charles Town
Sir

23 Jan. 1742.

your most obedient and
most humble Servant
Henry McCulloh.

(Recd with Mr Whitaker's letter dated 25 June 1744.)

also Enclosed with H. 30

H. 34. already copied

see G. 118. letter from Mr Whitaker to Mr McCulloh dated 3 Feb. 1742. inclosed in Mr McCulloh's letters dated 19th + 25 Mar 1742/3.

also H. 35. Extract from the Journals of Assembly (which it has not been thought necessary to have Copied)

B.P.R.O. So Carolina B.T. Vol. 13 H 36. (enclo. to H 30)
no date

South Carolina

The Committee appointed to consider of the most effectual measures to bring into this Province white Persons to increase our strength —

Report. That as the encouragements hitherto given to white persons coming into this Province with a design to settle therein have not been found sufficient to answer that desirable end. The Committee taking into consideration the reasons of the same are of opinion the dissappointment has been in a great measure owing to the following causes (to wit)

Agreed to. That the great quantitys of the best and most commodious lands in this Province particularly in the Townships which were designed by his Majesty for the use of poor Protestants, are held by private persons, who neither inhabit nor settle the same. And that a great number of Negroes are brought up to and daily employed in Mechanic Trades both in Town and Country.

Agreed. Your Committee therefore recommend that a Bill formerly brought into the Genl Assembly intituled

intituled an additional Bill to an Act for the better securing this Province from negro insurrections &c be brought into this House with proper amendments.

That the penaltys arising from the said Bill be applied in aid of the Township fund. That a Clause be also inserted in the said Bill prohibiting the bringing up Negroes and other Slaves to Mechanic Trades in which white persons usually are employed.

Agreed in part. no Slave hereafter brought up to a Trade shall be hired out, but only to work for his master.

That as moving the Townships of Kingstone and Queensburg has in a great measure prevented the settling of the same Your Committee recommend that the reasons for so doing be enquired into and if possible may be restored to the first or some other advantageous situation.

Agreed.

That authentic information may be given in the most public manner of the encouragement given to those who shall transport themselves and settle in this Province.

agreed.

That the Powder money be remitted on each Voyage to the Commander or Owner of every ship or Vessel in which 25 white men to settle in this Province are imported.

Disagreed.

That

That in order to encourage such poor protestants to settle in Societys a Salary of fifty pounds proclamation money ℔ Annum be allowed for the maintenance of any Minister in each Township where there shall be number of Inhabitants.

Agreed.

That the Service of any poor protestant shall not exceed 3 years Minors excepted

That humble application be made to his Majesty to apply the Quit rents arising by Township lands for years for the better settling poor protestants

Agreed.

That His Honour the Lieut. Governer and His Majesty's Honble Council be desired to issue a Proclamation for reserving that body of Land near the Wateree Township some time ago set apart for the use of the North Britons and that the term which was formerly for two years being now expired be extended for a further time

And

That a convenient body of good lands be set apart near the Township of Williamsburg for the use of such protestants as shall arrive in this Province from Ireland.

B. P. R. O. So Carolina B T Vol 13 H 37 enclo to H 30.
(30 May 1744.)

Sir,

There is nine books for Records of Grants since Governor Johnson came in 1731, I do not know that any account of the number of acres has been taken of the same that it would take up several days to make a List of the same, and as the Laws were Rat-ified last night I shall be for the present busy in writing a Copy of the Tax Law for the Treasurer but I believe I could have time to enter upon it next week if you desire it.

I am
Sir
Your very humble Servant
John Champneys

30 May 1744.

Honble Benja Whitaker Esqr.

Enclosure to H. 30.

H. 38. Governor Johnson's Proclamation
dated 4 Nov. 1731.

and

H. 39. The usual form of a
Grant of His Majesty's
Lands in South Carolina

(which have not been copied.)

B. P. R. O. So. Carolina B. T. Vol. 13. H. 40.
(enclosure to H. 30)

Sir,

According to your desire have sent you an account as near as I can, it is what was paid for last year, or very near it, for was obliged to add up every Page which is the reason you had not it before, but don't think it is anything like truth what should be paid for, but far from it

I am;
Sir
your most Obedt. humble Servt.
Geo. Saxby

Chas. Town
June 13th 1744.

500,000 acres @ 1/ p Ct.
430,000 Do. @ 4/ p Ct.
930,000.

The Honble. Benjn. Whitaker Esqr.

B. P. R. O. So Carolina B. T. Vol. 13. H. 42.

(Enclosure to H. 30.)

Observations on an Act of the General Assembly of the Province of South Carolina passed on the 29th day of May 1744 Intituled an Act to remedy some defects in his Majestys Rent Roll and to enable the Officers of the revenue to make a more perfect Roll of his Majesty's Quit rents in this Province and to discharge from the payment of future Quit rents all such persons as on transferring their property shall enter memorials of such transfer in the Auditors Office pay the Quit rents due and comply with the other directions of this Act. Humbly submitted to the consideration of the Right Honourable the Lords Commissioners for Trade and Plantations. —

Observation 1. The property of seven eighth parts of the provinces or territories of Carolina became vested in his Majesty on the 29th day of September by virtue of the surrender made by seven of the late Lords Proprietors in pursuance of an Act of Parliament for that purpose made & provided but no grants were made from the Crown in the Province of South Carolina until the fourth day of November 1731 The Original Grants from the Crown are recorded

recorded in the Secretary's Office but no regular Account[a] has been hitherto kept of the same tho' 'tis presumed that the Reciver General and Deputy Auditor will in due time apply to the Secretary's Office to have them properly certified in order to perfect the Rent Roll.

a. see Mr. Champney's Secretary's Deputy LETTER A.

When the[aa] Land Office was opened on the 4th Novr. 1731 multitudes of persons applied to obtain Warrants from the Governor directed to the Surveyor General to lay out Lands to them in proportion to the number of persons of which each family consisted and hence these Warrants, got the common appellation of family rights, and were usually trafick'd for and sold under particular covenants that when Grants should be obtained the Grantees should convey the land granted to the purchaser of the Warrant. as this practice became General and without check or restraint, it is very natural to suppose it was liable to abuses and the Lands were conveyed thro' several hands, laid uncultivated & the Quit rents remained unpaid the original Grantee frequently being dead, gone off from the Province, or not to be found so that the Officers

aa By Govr. Johnson's proclamation see letter B.

of

of the Revenue could not know in whose pos-session the Lands were, or how to collect the Rents therefore it was conceived to be necessary that all Mesne conveyances as well as the original Grants should be entered with the Auditor and it was proposed by Mr. McCulloh that a Clause should be inserted in the Tax Act requiring all persons whatsoever when they should give in an account to the Tax Inquirers and Collectors upon Oath of the Quantity of Lands held in their own Right or in the right of any other person whatever that they should be obliged to give a particular account of what Lands were held or claimed in right of proprietary Grants and what were held by Grants immediately derived from the Crown or by Warrants which have not been car-ried into execution

† see Mr. McCulloh's Meml. to Lieut. Govr. Bull No. (5)

The General assembly did not agree to this part of the Proposals for the reasons following

First for that all the Inhabitants of this Province return annually an account upon Oath of all the Lands they hold possess or Claim under any title whatsoever describing the County & Parish where the Lands lye so that the Officers of the

Revenue

Revenue may have access to them, but if the method proposed was followed & the Public Receiver was obliged to certify the returns proposed to the Officers of the Revenue it would be a double trouble and charge.

Secondly that all lands claimed under proprietary Grants (by Memorials) have been entered with the Auditor or are lyable to forfeiture pursuant to the Quit Rent Act passed 20th Augt. 1731, which in this particular has been already carried into execution and is still in force.

Thirdly if any Lands are claimed under Warrants not carried into execution the possessors of such Lands are intruders and ought to be removed. The weight of these reasons are humbly submitted to your Lordships consideration.

Observn. 2. The fifth Clause is intended to prevent conveying lands to persons unable to satisfy the Quit-rents or who shall leave the Province and to oblige all persons who have or shall transfer, to pay the Quit rents due, before such Transfer shall be made or the party discharged. Exonerating persons from future Quit rents after transfers made or apportioning the rents upon transferring part of the lands granted is undoubtedly

-doubtedly an encroachment upon His Majesty's pre-
-rogative but it is humbly submitted whether
such an Indulgence to the Subject may not
encourage persons to enter memorials and that
his Majesty's revenue may be increased by having
a more perfect Rent Roll —

Obser.ⁿ 3 The act as it now stands, upon the amendment
made by the Council is in these Words viz.ᵗ —
But the conditions inserted in such Grants to
oblige "the grantees to cultivate & improve the
"same have not proved effectual for the settlement
"of this Province because although these conditions
"have not been complied with by many persons" &c.
Now upon examining the Grants that have been
usually made of the Kings Lands it is submitted
if at the time of passing such Grants the conditions
inserted were effectual & proper to oblige the grantees
to cultivate, or whether they have only proved in-
-effectual in the event by many persons not having
complied with these conditions.

(Margin: See the usual Form of a Grant of His Majesty's Lands in So. Carolina Letter B.B.)

Obser.ⁿ 4. The Clause goes on "Yet His Majesty's Governor & Council
"have not been able to resume such lands or to accept
"a surrender of them in behalf of his Majesty that
"so those lands might be granted to other persons".

In

3113.

In the preamble to this part of the Act there are no reasons why the lands could not be resumed on surrenders made to His Majesty. As this Act took its first rise from a Memorial or representation of Henry McCulloh Esqr. Commissioner of his Majesty's Quit rents to Lieutenant Governor Bull and a letter to Mr. Whitaker late Speaker of the Assembly and as the proceedings that were preparatory to this business may give some light they are referred to in the Margen.

see the Letters which passed between H. McCulloh Esqr. Commission.r of the Quit rent & Mr. Whitaker Chief Justice of South Carolina

No. 1, 2, 3, 4.

Obser. 5. The Clause which empowers the Governor or Commander in Chief of this Province to accept a Surrender with the advice of the Council on his Majesty's behalf under the limitations and directions mentioned in the Act, 'tis conceived is a power that could not be exercised without his Majesties express directions or the Authority of an Act to be confirmed by his Majesty. This Clause therefore is to be submitted to Your Lordships consideration and his Majesty's Royal Will & Pleasure upon the reasons set forth in the Act since the General Assembly have not presumed to pass an Act which may so greatly concern his Majesty's prerogative and revenue without a saving clause

suspending

suspending the Execution thereof until His Majesty's pleasure shall be signified concerning the same

Obs.n 6. The Act now transmitted for His Majesty's allowance wholly relates to lands granted since His Majesty's purchase but as His Majesty's Rent Roll cannot be said to be compleat and perfect until a just account is rendered of the Rents due for Lands claimed under Grants from the late Lords proprietors or otherwise before the surrender to His Majesty Therefore it is humbly hoped that an attempt to give the best account that can be obtained or which the nature of the case will admit will not be thought unworthy of Your Lordships notice.—

The late Lords proprietors on the 12th day of September 1718 sent* orders to their then Governor of South Carolina that no more Lands in that Province should be admeasured or set out without leave from the said Lords Proprietors.

*see the Lds Propr.s Books lodged at the Planta= office Whitehall Book 4. fo. 124 + to the end of that book.

On the 4th of September 1719 they inforced their* former order + shut up the Land Office and gave their reasons for so doing.—

About the 19th of January in the same year the Inhabitants of South Carolina refused to yield any

3415

any further Obedience to the Government of the late Lords proprietors and humbly besought his Majesty to take them under his immediate Government and protection and from this time the exercise of the Government by the Lords proprietors was discontinued and suspended. — About the 20th September 1720 his late Majesty King George the first was graciously pleased to appoint Francis Nicholson Esqr. provisional Governor of this province who arrived here on the 21st day of May 1721 and published his Majesty's Commission and enter'd upon the exercise of the Government on the 29th day of the same month.

Although the late Lords proprietors during their Government had from time to time sent orders to their Governors Secretarys Surveyors and Receivers General for the regular & proper laying out admeasuring granting disposing & registring of their lands and for the receiving collecting and accounting for their rents many of which orders & Instructions are entered in the Offices of record in this province yet very little regard was had to the same but things were generally in great confusion. There is not extant in this province any correct or regular account

account of the Registry entry or other memorial of the lands Surveyed laid out or granted under the authority of the late Lords proprietors nor was there ever kept any fair exact account or Rent Roll of the Rents that were reserved, due and payable for the lands that were granted by the late Lords proprietors so that it is impossible for the Officers of the Revenue here upon the most diligent & strict inquiry to collect or make out any fair account of the Rents which were due to the Lords proprietors at the time when they order'd the Land Office to be shut up and the exercise of their Government ceased.

The only Account that can be with any certainty relied on, begins in the year 1725, upon the examination of the public Treasurer's books of that year (which were since burnt in the great fire that happen'd in Charles Town 18th of November 1740) it appeared that the Inhabitants of this province returned upon oath

----------------------	1,186,502½	acres
In the year 1726 ------	1,242,471	

From the year 1726 to the year 1730 no takes were raised but in the year 1731, there was returned = taxes.

1453,875

347

1453,875 acres.

1453875.
1186502
267,373.

So that it appears that between the years 1725 + 1731 the Inhabitants of this province acquired the possession of - - - 263,373 acres.

3 should be 7, see above.

Now as it has been shewn that the land office was shut up by the proprietors in the years 1718 + 1719 and was not opened again till 4th November 1731 It will unavoidably follow that the possession of the Lands acquired between these periods must be gained by wrong and without title and were chiefly claimed under old dormant patents a view of which were by the direction of Your Lordships board before you in the year 1733. Since the year 1731 the lands of the inhabitants of this Province have been generally return'd on Oath in the Annual Taxes, to which the Officers of the revenue always may have recourse and may be a probable means in case of any doubt or mistake from time to time to rectify His Majesties Rent Roll.

see also observations sent home before that time by Mr. St. John late Deputy Audr.

In the year 1742 the whole return was - - - - - - - - - - - - - - - - 2349,129

	2349,129	acres of land
from these deduct the land claimed under proprietary grants retd. in the year 1731 @ one shilling procla: money ℘ 100 acres	1,453,875	

The

The remainder is lands granted by the Crown since 4th November 1731 @ four shillings proclamation money ℘ hundred acres - - - - - - 1885,254 acres of land

Out of these accounts taken from the returns in the Taxes some allowances must be given for Grants made of the same lands to different persons some instances of which will probably be found on future Examination of the Rent Roll. — And the claims of the Assignees of the Lord Carteret's Baronies & those of Sir John Colleton's and Mr. Wright's Baronies secured by the Act of parliament and four Baronies Granted to Mr. Thomas Lowndes and some few others on which a pepper Corn rent is only reserved. —

The possession of the Lands acquired by the Inhabitants of this Province from the shutting up of the Land Office in the years 1718 & 1719 until the opening of it again on the 4th November 1731 are confirmed by the Quit Rent Act passed 20th August in the same year and if His Majesty should be graciously pleased to allow of that act the rents ought to be accounted for from that time at one shilling proclamation money ℘ hundred acres. —

according

According to the above computations the Account of His Majesty's Rents ought to stand thus.

The Kings Tenants in South Carolina for Quit Rents.

Dr.		Cr.	
To lands claimed under the late Lds. propriet.rs for which Taxes were pd. in the year 1731 @ one shilling Proclam.n Money ℘ hundred Acres.	Acres of land 1,453,875.	By lands for which the rents have been accounted to the Kings Receiver Genl.	acres of land 500,000
		Ballance not acctd. for	953,875
			1,453,875
To lands granted since the surrender of the late Lds. Propr. to His Majesty, viz. since 4th. Nov. 1731 when the Land Office was first opened at four shillings procl.n Money ℘ hundred Acres	1,885,254.	By lands which have been accounted for.	430,000
		By Ballance to be acctd. for	1,455,254
			975,254

see Mr. Geo Saxby

His Majesty's Receiver his letter C.

By His Majesty's Instructions to the late Governor Johnson he was impowered to give his Assent to an Act for the remission of arrears of Quit rents if (among other things) the Assembly should by the

same

same Act repeal a law formerly consented to by the Lords proprietors commonly called Archdale's Act.

The General Assembly of this Province by the Quit rent Act complied with that part of His Majesty's Instructions in repealing Archdale's Act, but on the strictest inquiry & most diligent search that can be made in the Records of this Province it cannot be found that the Lords proprietors ever consented to archdales Act. —

*see printed collection of laws sent to the Board of Trade by Lt. Govr. Bull. No. 125 fo. 45.

It appears from the preamble of an* Act for remission of part of arrears of Rent and to ascertain the payment of the remainder which passed on the same day with Archdale's Act. The Right Honourable the true and absolute Lords proprietors of this Province had been pleased to impower & commissionate "John Archdale Esqr. General, Admiral "and Governor of this Province to do and Act such "things with the advice and consent of the Delegates "or Representatives of the people as to him and them "should seem most to conduce to the peace and "welfare of the present Inhabitants" &c —

According to these powers several Acts were passed and amongst the rest the Act the preamble

preamble of which is above recited which is thought to be still in force And an Act to ascertain the prices of land and the forms of conveyances and the manner of recovering of Rents for Lands & the prices of the several Commodities the same may be paid in. which last Act is commonly called Archdale's Act. — By the two last Clauses in Archdale's Act it is declared, First that no Act of the General Assembly made or ratified or to be made or ratified by the Lords Proprietors Deputys should be repealed but by the General Assembly. This seems wholly to exclude the Lords proprietors from a power of repealing without the consent of the General Assembly.

Secondly. But such Acts as have any relation to the dignity or Royal prerogative of the King or Crown of England or have relation to the lands rents and revenues of the Lords proprietors or their prerogatives granted in the Royal Charter are accepted and shall not continue of force but till the next Biennial Assembly unless they shall be ratified under the hands and seals of any five of the Lords proprietors or under the hands & seals of the Palatine & three or more of the Lords Proprietors. —

Thirdly

Archdale's act supra.

Thirdly there comes a Clause of exception which declares that this Act and another* Act, the title of which is recited shall not be irrepealable nor irrevokable by any powers or persons whatsoever without the consent of the General Assembly. — Neither of the Acts mentioned in this last Clause were ever ratified under the hands and seals of the Palatine and three or more of the Lords proprietors or under the hands & seals of any five of them and therefore it is submitted whether these Acts could have any continuance longer then the next Biennial Assembly or whether if it should seem just they might not be repealed by the Crown at this day.

The late Lords proprietors by their Charter had a power granted to the to ordain make and enact and under their Seals to publish Laws & constitutions by and with the advice assent & approbation of the Freemen of the province from time to time to be assembled in such manner & form as the said Lords proprietors should seem best. —

So that it appears by the Charter that the power of making & ordining laws was granted to the late Lords proprietors with the assent of the Freemen of the

the Province who were the Representatives of the People. There were but two estates who were to concur in making Laws. The power given to the Lords proprietors of making laws, on account of the distance they granted to their Deputys. The Governor of the province was the Palatine's Deputy and each of the other seven Lords proprietors distinctly appointed his respective Deputy. The stile of the Acts were in the name of the Palatine and the rest of the true and absolute Lords and proprietors, by and with the advice and consent of the rest of the members of the General Assembly met at Charles Town for the South West part of this Province. The Acts pass'd were ratified in open assembly under the several hands & seals of each Deputy. The Lords proprietors altho' there is no power expressly given them in their Charter to repeal Laws made with the Assent of the Freemen of the Province have in several instances repeal'd Acts by their own authority, without the consent of the Freemen of the province but this Power was always* questioned by the Representatives of the People. It was insisted by them that no such power was granted to the Lords proprietors by their Charter that they conceived a power of repealing laws in

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*see Coll: of printed Laws fo. 320 321. 322 &c 405. 406. fo. 327 328 &c 418, 419 420.

a Subordinate dominion was a right inseparable from the Crown and could not be granted away to a Subject, that as they never presumed to question the right of the Crown to repeal the provincial acts so they only insisted that the Lords proprietors themselves had no such Authority. and that altho' orders were given to the Lords proprietors by the Crown to repeal Acts they conceived it could not be esteemed that the proprietors had any right in themselves to repeal acts without such direc-tions from the Crown which were equally obligatory on the Lords proprietors as well as the people whose consent had been given to the making the Acts which were thought fit to be repeal'd and that in such case the Lords proprietors were only instruments in the hands of the Crown to signify the Royal pleasure that the Act should be repealed That altho' the Proprietors Deputys were sometimes called the Council, yet they were not to be esteemed as one of the three estates which are impowered to make laws in the Kings Governments in America since no such power seems to have been given them by the Charter but in passing of Laws their Deputies ratify the Acts

in

in the name & meerly by the Authority derived from their principals, and that such Acts when rightfully executed pursuant to the Authority given, cannot be annulled revoked or repealed by the principals without the consent of all the partys who gave the acts their binding power.

This is a matter humbly submitted to Your Lordships consideration as the fact, in this province at least seems doubtful, if upon further inquiry or better information it shall appear that the Lords proprietors consented or *confirmed Archdale's Act Your Lordships might have been spared the trouble of these observations but if the fact should appear otherwise, then the Crown was not truly informed and it is humbly submitted whether the Crown might not repeal Archdale's Act, without the consent of the General Assembly, which would have a considerable influence on the revenue.

*as seems to be required by the 13th clause of Archdale's act

Observations on the proceedings in the assembly concerning the Townships.—

As it appears from several of His Majesty's Instructions given to Robert Johnson Esqr late Governor of this Province that it was his Majesty's most gracious

gracious intentions, as well for the better improvement and Cultivation of His Majesty's lands as to strengthen this Frontier Province by encouraging poor protest-ants to come over & settle here to appoint several Townships to be laid out in this province and whereas it is too notorious and manifest that very

* see Comtee's Report No 6.

great *frauds & abuses have been committed not only in laying out the said Townships but in granting part of the most valuable lands in the said Townships to those who for a long time past were Inhabitants of this province to the great

see Mr Mc-Culloh's letter to the late Speaker amgst the proceedgs in the Assembly No 5.

discouragement and dissapointment of poor pro-testants and to the great prejudice and the endangering the safety of the whole province in consideration whereof Henry Mc Culloh Esqr His Majesties Commissioner by a letter to the late Speaker proposed some effectual measures to the consideration of the Assembly not only for the better strengthening the Country in General but in some degree to remedy the abuses which has been committed with regard to the Townships.

His letter was taken under consideration by the Assembly & was refer'd to a Committee

* see No 6

who made a *Report upon the same which was in the

the most material & essential parts agreed to and a Bill was ordered to be brought in to carry into execution the chief substance of the Report.

The Bill was brought in during the Sitting which began in 1742, and had a first reading in the Council & Assembly during the same sitting.—

In the Sitting which began in the year 1743 as the matter had been long depending the Council at the request of the Assembly sent them the Bill only read a first time in the Council.

When the Bill came to be read a second time in the Assembly all the most material parts were rejected by a Majority of the House and the Bill seems to be entirely dropped and no more thought on and there is no great probability that anything will be effectually done for two reasons which are very obvious.—

First it appears by the Records of the Grants that several Members both of the Council and Assembly have taken up Township Lands.—

Secondly it was publickly declared in the Assembly that they would not lay burthens on themselves and this evidently appeared to be the sense of the Majority, by their disagreeing to the most material

material & essential parts of the Bill.
As these things very greatly concern His Majesty's honour & interest as well as the Welfare of this Province they are most humbly submitted to your Lordships Consideration. —

Rec^d Aug. 21 }
Read Oct. 24 } 1744

B. P. R. O. So Carolina B. T. vol. 13. H. 43. (Encl. to H. 30.)

An Act to ascertain the Prices of Land the forms of Conveyances and the manner of Recovering of Rents for Lands and the Prices of the several Commodities the same may be paid in:—

Whereas no positive Law or certain way hath hitherto been made and appointed for recovering of Rents for Land nor any certain rates or prices put upon money or Commoditys in which the same are payable, the want of which hereafter may turn to the great dammages of the persons from whom Rent shall become due, for the Prevention whereof.

1. Be it Enacted By His Excellency William Earl of Craven Pallatine and the rest of the true and absolute Lords and Proprietors of the Province of South Carolina by and with the advice and consent of the rest of the Members of the General Assembly now met at Charles Town for the South West part of this Province

That all Rents which hereafter shall become due to the Right Honourable the true and absolute Lords and Proprietors of the Province of Carolina for Land already granted and sold whether the same be by Deed Pole or Deed Indented And all rents which shall

become

become due to the Lords proprietors for lands to be granted and sold to any Person or Persons in the following Words and form of Grants (vizt.)

I, A.B. By virtue &c do give and Grant unto A.B. a plantation containing acres of land English measure now in the possession of the said A.B. situate and lying in County and butting and bounding as appears by a Plat thereof hereunto annexed. To have and to hold the said Plantation to the said A.B. his Heirs and Assigns for ever in free and common Soccage with priviledge of hawking hunting fishing and fowling within the bounds of the same, with all woods and trees and what else is thereon standing or therein growing and being or thereunto by any manner of ways or means whatsoever belonging or appertaining Except all Royal mines and Quaryes of Gemmes and precious stones and one sixth part of the Oare of all base mines after the same is digged and washt or one tenth part of the same when and after refined, he or they yielding and paying therefore unto the true and absolute Lords and Proprietors their heirs and assigns or to their Receiver by them or the Major part of them appointed and authorized on every first day

day of December which shall be after the first day of December in the year of our Lord one Thousand &c one penny current money of this Province for every acre or the value thereof in such Commoditys and at such prices and in such place as shall be ascertain'd and appointed by the directions of an Act intituled an Act to ascertain the prices of Lands the forms of Conveyances and the manner of recovering Rents for lands and the prices of the several Commodities the same may be paid in, in lieu of and for all manner of services whatsoever due to the Lords Proprietors as Lords of the fee. Given under the Great Seal appointed for that purpose and dated the day of shall be paid to the Lords Proprietors in current money of the Province or in Indigo Cotton, Silk, Rice, Beef or Pork in Barrels or half Barrels on which shall be put the Packers mark, or in English pease, which Commoditys shall be appraised by six men upon their Oaths, three whereof shall be nominated by the Governor for the time being with advice & consent of his Council, the other three by the Commons now Assembled which three shall continue Appraisers till by the Commons Assembled others shall be appointed

in

in their stead which six persons so nominated shall meet at Charles Town every second Tuesday in November and then and there by a Majority of Votes shall agree and put a certain price upon the several Commoditys in which Rents may be paid and shall appoint the place of payment in each County at which price so ascertain'd the Lords Receiver shall take and receive all money and Commoditys that shall be tendred to him at the place where the same ought to be paid for Rents due and reserved for that year, and if it so happen that any one of the appraisers now nominated or hereafter to be nominated shall Dye or depart out of this Province before the next second Tuesday in November, then (the Commons Assembled having not appointed another in his stead) The two surviving or remaining Appraisers, shall nominate, and associate to themselves a third which person so nominated shall be and is hereby qualified in every respect as if he had been nominated by the Commons Assembled.

And all Grants for Lands to be sold and for which twelve pence the hundred acres in current money, acknowledgement shall be reserved shall

be

be in form following (vizt.)
I A.B. &c for and in consideration of the full sum of current money of this part of the Province of Carolina (The Receipt whereof do hereby acknowledge) do give and Grant unto A.B. a plantation containing acres of land English measure now in the possession of the said A.B. situate and lying in County and Butting and bounding as appears by a Platt thereof hereunto annexed To have and to hold the said plantation to the said A.B. his Heirs and Assigns for ever in free and common soccage with priviledge of hawking, hunting fishing and fowling within the bounds of the same, with all woods & trees and what else is thereon standing or growing or therein being or thereunto by any manner of way or means whatsoever belonging or appertaining Except all Royal Mines and Quaryes of Gemmes and precious stones, and one sixth part of the Oare of all base mines after the same is digged & washt, or one tenth part of the same when and after refined, he or they yeilding and paying, therefore unto the true and absolute Lords and Proprietors their Heirs and Assigns or to their Receiver by them or the majority of them appointed and authorized on every first day of December which shall be

be after the first day of December in the year of Our
Lord &c The full sum of
in current money of this part of the Province of Car-
-olina in lieu of and for all manner of services due to
the Lords proprietors as Lords of the fee at such place
as shall be appointed by the direction of an Act intitled
an Act to ascertain the prices of Lands the form of
Conveyance and the manner of recovering of Rent for
Lands and the prices of the several Commodities the
same may be paid in Given under the great Seal ap-
-pointed for that purpose at The day of
and Signed.

2. And be it further Enacted by the authority afore-
-said That if any Rents which shall hereafter become
due and reserved to the Lords Proprietors by any
of the Deeds beforementioned be unpaid by the space
of thirty days after the same ought to have been paid
The Lords proprietors by their Officers thereunto appointed
shall make reasonable distress upon any of the goods
and Chattels of the Owners of Lands, upon the Lands
for which the same was due and unpaid as afore-
-said and the Goods and Chattels so distrained
shall drive and carry away, or upon the premises im-
-pound and keep five days, and if the Owner thereof
shall

shall not within that time pay the rent due for
which the same was distrained with the reasonable
charges of distraining driveing keeping and carrying
away then the Officer distraining shall and may
with a Constable living nearest to the place where
such distress shall be made (who is hereby required
to be assisting therein) cause the Goods and Chattels
so distrained to be appraised by two sworn Appraisers
free holders of the Neighbourhood (when such Constable
is impower'd to swear) to appraise the same according
to the best of their understanding and after such
appraisment shall and may lawfully sell the
Goods and Chattels so distraind, and the money there-
-by rising shall keep for the use of the Lords pro-
-prietors towards satisfaction of the rent for which
the said Goods & Chattels were distrained and of
the Charge of such distress appraisment and sale
leaving the overplus (if any) in the hands of the
said Constable for the Owners use, and if no distress
by the space of sixty days can be made upon the
Lands for which rents shall become due then it
shall and may be lawful for the Lords Receiver
in the name and on the behalf of the Lords pro-
-prietors to bring a personal action in the Court
of

of Pleas against the person whose Rents unpaid are forty shillings or upwards and for which no distress can be made as aforesaid and for all Rent under forty shillings to recover in an Act intitled an Act for the tryal of small and mean causes for Debts under forty shillings is appointed.

3 And be it further Enacted that all Lands Plantations and Town Lotts for which a Quit rent of one Penny ℘ acre is or shall be reserved granted or to be Granted as aforesaid upon which no distress can be made, and against whose owners person living without this Government no personal action can be brought no any other recovery made by the space of seven years and all Town lotts Lands and Plantations for which a Quit rent of twelve pence for one hundred Acres is reserved and for which no recovery can be made as aforesaid by the space of twenty one Years shall escheat and revert and are hereby escheated and reverted to the Lords proprietors and all Deeds for the Conveyance Grants and sales for the same are hereby declared null & void as if the same had never been made.

4 And be it further Enacted by the Authority aforesaid That all Grants and Deeds indented

for

for the sale and conveyance of lands lying within this part of this Province which at any time heretofore have been made by the Pallatine or his Deputy and any three more of the Lords Proprietors or their Deputys or by any person or persons by the Pallatine and any three or more of the Lords proprietors Commissioned or impower'd to sell and Grant Lands are and are hereby declared to be and for ever hereafter shall be taken and held to be good, strong, substantial, stable, firm and lawful according to the true intent and meaning thereof any misnomer Omission of the names of any of the Lords proprietors any want of any significant and necessary words in Law for conveying of Lands any Omission Commission or mistake whatsoever in the said Grants done omitted or committed by any or all of the Trustees Commissioned by the Lords Proprietors for the selling of lands notwithstanding

5. And be it further Enacted That distress shall not be made upon the Goods & Chattels of any person upon any plantation but such as belong to the Owner of the land upon which distress is made or which do belong to the Tenant or Tenants thereupon living or residing or to any person occupying

and

and injoying the fruits and increase thereof. and that no person which shall buy any part or parcell of any plantation of any person to whom the Lords proprietors have before granted the same shall be obliged or lyable to pay Rent for more acres of lands then he hath Bona fide bought as aforesaid.

6. And be it further Enacted That in case any distress & sale as aforesaid shall be made by virtue or colour of this present Act for Rent pretended to be in Arrear and due, where in Truth no rent is arrear or due to the person or persons distraining or him or them in whose name or names or Right such distress shall be taken as aforesaid that then the owner of such Goods or Chattels distraind and sold as aforesaid, his Executors or Administrators shall and may by action of Trespass or upon the case (to be brought against the person or persons so distraining or any of them his or their Executors or Administrators) recover double the value of the Goods or Chattels so distrained and sold together with full cost of suit.

7. And be it further Enacted That every person which heretofore hath or hereafter shall buy or any otherwise hold any parcel of lands either mediately or im-

-mediately

-mediately from any person or persons to whom the Lords Proprietors have formerly Granted or sold or hereafter shall Grant & sell the same shall sometime before the first Rent day after the Ratification of this Act or some time before the first Rent day shall happen after the purchase or Tennour thereof Register his Deed of Sale and conveyance, or for want thereof shall forfeit and pay to the Lords Receiver or Officer so much as the said Receiver or Officer may be dammaged with cost of Suit by making distress for Rents where none was due to be recovered by the same way and process as the dammages against the Receiver in case of distress for rent where none was due before hath been recovered.

Provided always and it is hereby intended that any person which hereafter shall buy any Lands as aforesaid within ten days before any Rent day may Register his Deed of sale or Tennour at any time within thirty days after the Rent day which shall be taken to be done effectually according to the intent of this Act anything herein to the contrary notwithstanding.

8. And be it further Enacted That the form of Grant

Grant for lands for which one penny ℘ acre is reserved for Quit Rent and which before in this Act is sett down, shall be the only and unalterable form of Grants for Lands hereafter to be granted and conveyed to every person which in any part of this part of this Province shall require the same for and during the full term and time of fifteen years after the Ratification of this Act and that the form of Grants for Lands for which twelve pence for one hundred acres or for any greater or lesser quantity of Lands after, that rate is reserved as Quit rent and which before in this Act is set down shall be the only and unalterable form of Grants for lands hereafter to be sold to every person which in any part of this part of this Province shall require the same for and during the full term and time of six years after the Ratification of this Act, and that after the expiration of the six years aforesaid, The same form of Grants shall not be alter'd till after a publication of the intention of the Lords proprietors to alter the same hath been made in Charles Town at least one whole year before the alteration thereof

thereof and after the expiration of the fifteen years aforesaid And

We the Representatives of the people of this part of this Province now assembled highly sensible how much the aforesaid Forms of Grants for Lands will conduce to encourage the peopling of this Collony do humbly pray and beseech the true and absolute Lords and proprietors of this province That it may be enacted and it is Enacted by the Authority aforesaid that the aforesaid Forms of Grants for lands shall not be denied or delayed to be given to any person which within any part of this part of this province shall require the same at any time within the respective times before in this Act limited and appointed for Granting the same he or they first paying as at that time shall be usual for the same.

9. And be it further Enacted That all Grants and Sales of Land all public Instruments in writing all private contracts and agreements with any person or persons all Acts and Orders of Assembly all Rules & Instructions of Government and all other papers relating thereto which shall be made and signed and seal'd by the Pallatine & three more of the Lords proprietors or by

by any five of the Lords Proprietors and all acts and
matters done by virtue thereof shall be taken and
held to be as good and substantial in Law as if the
same had been agreed and consented to and signed
and sealed by all the Lords proprietors themselves
And That no person may be disappointed or dammaged
for want of a Grant for Lands, Be it Enacted by the
authority aforesaid that if at any time within the
time limited for the Granting of Lands in the manner
& forms aforesaid it shall happen that no person
shall be commissioned and impower'd to sell Grant
or convey Lands as aforesaid in this part of this
Province then in such case the Governor for the time
being and three more of the Lords proprietors Deputys
shall have power and are hereby impowered to sell
Grant and Convey Lands in the manner & forms
aforesaid; and not otherwise until another person
shall be commissioned from the Lords proprietors
to sell Grant & convey Land as before is appointed
10. And for the assistance and better enabling of
new comers and servants whose time of servitude
are expired to settle themselves & to encourage their
stay here the Commons do humbly pray your Hon^rs.
that it may be Enacted And be it Enacted by the
Authority

authority aforesaid that no rent or acknowledgement in the before mentioned Grant reserved shall be demanded required or paid or be reputed to become due to the Right Honourable the Lords Proprietors for the space and term of two whole years from and after the first day of December next ensuing the running out possession or the date of the said Grant any thing in the said Grant contained to the contrary in anywise notwithstanding

11. And be it further Enacted by the Authority aforesaid that no person or persons whatsoever who hath lands in this part of this Province and from whom rent was and is due for the same shall be obliged to pay for the purchase of such land more than twenty pounds current money for a Thousand Acres, reserving twelve pence rent for each hundred for & during the time limited in this Act and so proportionably for a greater or lesser quantity and that all person or persons for and during the limited time aforesaid shall buy and purchase Lands for twenty pounds a Thousand Acres in peices of Eight weighing not less then sixteen penny weight or twenty five pounds current money reserving twelve pence a hundred acres Rent and so proportionably for a greater or lesser quantity.

12.

3 71

12. And for the better explanation of the meaning & confirmation of an Act of Assembly Entitled an Act for the better settlement of this Province. —

Be it Enacted That the said Act shall not extend or have relation to any Lands or Plantation but such as had lain wast and for which no rent had been paid some time before the Ratification thereof and that the said act shall be allowed held & taken to be good lawfull & in force and such lands before mentioned shall escheat & revert to the true and absolute Lords & proprietors and be deemed to all intents & purposes Lands untaken up.

13. And it is further Enacted by the Authority aforesaid That no Act of General Assembly made & Ratified or that shall hereafter be made and Ratified by the Lords proprietors Deputys in the General Assembly shall be repealed annulled or revoked, but by and with the consent of the General Assembly except all such Acts of Assembly which may any ways have relation to the Dignity and Royal Prerogative of the King & Crown of England or which may anyways have relation to the Lands Rents and Revenues of the true and absolute Lords and proprietors of the Province of Carolina or of their

their prerogatives Granted to them in their Royal Charter, which said Act shall not continue in force but until the next Bienniall Assembly, unless in the mean time they be Ratified under the hands and Seals of the Pallatine and three or more of the Lords Proprietors or under the hands and Seals of any five of them (excepting always)

14. And it is hereby Enacted That this Act and an Act intituled an Act for Remission of part of Arrears of Rent & to ascertain the payment of the Remainder are hereby made and declared to be unrepealable and irrevokable by any power or persons whatsoever without the consent of the General Assembly anything in this Clause to the contrary notwithstanding

Read three times	Thomas Cary	John Archdale
and Ratified in	James More	Joseph Blake
open Assembly this	John Beresford	Joseph Morton.
sixteenth day of March	William Hawett	Stephen Bull.

1695/6.

B. P. R. O. So Carolina B. T. Vol. 27. p. 85

(28th June 1744.)

To Francis Fane Esqr

Sir,

I am commanded by My Lords Commissioners for Trade and Plantations to send you the nine inclosed Acts passed in the Province of South Carolina in May 1743, and to desire your Report upon them as soon as conveniently may be; But their Lordships being solicited to consider and lay before His Majesty that particular Act (Markd (3) at the bottom of the Title) to ascertain and regulate Publick Officers Fees, &c. they desire your Report upon that first and as soon as you can conveniently.

I am
Sir
Your most humble Servt
Thos Hill

An Act for raising and granting to His Majesty the sum of £ 51,195-11-6 and for applying the sum of £ 4178-6-3/4 for defraying the charge of the Government for one Year commencing the 25th March 1742 inclusive & ending 25th March 1743 exclusive.

An Act for making satisfaction to Proprietors whose

whose Lands are in any wise damnified by the Works lately erected, and now erecting & carrying on &c.

An Act to ascertain and regulate Publick Officers Fees, and to Repeal an act of the General Assembly of this Province Intituled An Act for ascertaining Publick Officers Fees.

An act for the better security of this Province against the Insurrections and other Wicked attempts of Negroes and other Slaves &c.

An Additional & explanatory Act to an Act Entituled an act to prevent Mariners and Seamen running into Debt, and to prevent the Desertion of Seamen.

An Act to prevent stealing of Horses & Neat Cattle &c.

An Ordinance for appointing Jacob Motte Esqr Treasurer.

An Act for Encouragement of Mr George Timmons in his Projection of a New Instrument for cleaning of Rice

An Ordinance for appointing Receivers Comptrollers and Waiters of the Country Dutys at the Ports of Beaufort Port Royal and George Town Winyaw.

B. P. R. O. A & W. I. Vol. 19 p. 220.

(2 July 1744)

My Lord,

This Province has been greatly alarmed by Reports and Rumours which we have had from the Bahama Islands and Georgia of an intended Invasion by the Spaniards, what reason there was for great Apprehensions here, even in that event or what foundation there was for such Reports your Grace will judge by what I have the honour to write.

Charles Town the principal Town in this Province is the repository of all the Goods belonging to the English Merchants for the Trade of this and some of ye neighbouring Colonys, It is besides the Magazine of Our warlike stores, and as these will be great Temptations to the Spaniards, who do not want territory here, should they ever think of an Invasion, we may most probably expect them. —

In order therefore that your Grace may have a Clear Idea of this place, upon the security and defence of which this whole Country depends, I have ordered an Exact plan to be prepared for your use, comprehending all the particular works; to

to which I shall annex a description in writing It will be ready to, be sent home by the next shipping.

In the mean time I shall give your Grace as good a Notion of it as I am able to do without such plan.

The Entrance of this Port is guarded by a Barr seven miles distance below the Town, over which no Vessel can pass at any time, if her draught of water exceeds our twenty Gun ships, nor can these pass, but at high water, in the day time, and with the assistance of a skilfull Pilot, and as every ship is distinctly seen from hence before she comes to the Barr, We can never be surprised

After they have passed the Barr, they must come under the Walls of Fort Johnston, or very near it, This is Situated about three miles below the Town, here are 33 Peices of fine Cannon mounted a great many rounds of shot, a small magazine of Powder, and a good many Muskets and other things proper. We keep constantly 25 men here, but in an hour's time a hundred could be sent in, who lived near it.

If

If this Fort should be passed they may then approach the Town which is situated on a neck of Land formed by Ashley and Cooper rivers, and being surrounded by a Marsh it is impossible to land in many places, Other parts we have fortified with redouts, Batterys and Forts. Our Bay is defended by a Curtine Line strengthened by salliant Angles, a small half moon, and two good Bastions, we have a hundred and three Cannon mounted in the Town in excellent order, they are all nine twelve or Eighteen pounders and as I have observed to your Grace that no vessel can pass the Barr that carries above six or nine pounders Our Guns must keep them at a great distance, We have above one hundred and fifty rounds of shot, and a good magazine of Powder, besides what is in the hands of private traders.

There are in this Town above One thousand men all well armed and constantly trained, and two or three of the Country Companys Could be marched to Town in a days time, and upon any Emergency Arms could be safely put in the hands of our Town negroes whose fidelity may be depended upon being mostly

Carolina

Carolina born.

And in Our armory we have fifteen hundred mus.kets, I must however take notice that the neck of land by which this Town communicates with the Country is wholly open and defenceless, and many of our works have by long neglect been permitted to be filled up to the very mouths of our Cannon so that it is easy to step from a Boat upon Our Works.

To remedy these Evils and to put our Country in the best posture of defence I called the Assembly together and made a Speech recommending these matters to them which I have Inclosed for Your Grace's perusal The Assembly have already come chear-fully to resolutions to do everything that is asked.

These Reports have been very current here for near three months. As they alarmed our people I wrote to the Commanding Officer in Georgia to know what foundation there was for them, but there was none in the world, tho' they had gone so far as to sett the Tenth of June for the day of their landing in Georgia And on the ninth four Deserters arrived there from Augustine, Inclosed are their Declarations which are marked 1.2.3.4.

They

They have given the utmost uneasiness both in Georgia and this Country for they were not kept Secret but were sent to other people in this province besides the Government, but they are destroyed by much better authority as your Grace will see by the Affidavits marked 5.6.7.

I have however left nothing undone that ought to have been done had these accounts been certain I sent two Twelve pounders and two Six pounders to the service of Georgia wth carriages & a good quantity of shot fifteen hundred weight of powder and a thousand weight of musket Ball, and other things which they were in great want of

We have had accounts that War is declared against France but as yet we have had none from Britain

I am with the greatest respect
My Lord your Graces
Most obedient and
most humble Servt
James Glen.

Charles Town
South Carolina
July the 2d. 1744.

Enclosures

Enclosures.

Copy of Governor Glen's Speech to the Assembly

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also

(1.) The Declaration of Barth. Audivei taken before Capt. Horton at Frederica the 9th of June 1744. and read in the Chamber of His Majesty's Honble Council at Charles Town June 15th 1744.

(2.) The Declaration of Juan Merigildo, read June 15. 1744

(3.) Do. Do. Do. John Boireau as above.

(4.) Do. Do. Do. Antonio Messina as above.

(5.6.7.) Copys of the Affidavits of Capt. David Marshall and Capt. John Webster. taken June 18. 1744 before His Excellency the Governor.

N.B. It has not been thought necessary to copy these.

B. P. R. O. So Carolina B. T. Vol. 13. H. 25.

Charles Town So Carolina July 2d 1704

My Lords,

I wrote by Captain Hutton late Commander of His Majesty's Ship Loo unhappily lost near Cape Florida since which time nothing has happened remarkable in this Province.

The General Assembly which was met before my arrival continued sitting ever since, with some short adjournments of eight or ten days at a time to permit the Members to return to their several Plantations, to look after their Slaves but they are now broke up for some time, the method here has been not to prorogue, but to adjourn them, even when what may be called the business of the Session is over, and therefore I gave them leave to adjourn till October next, after having given my assent to seventeen excellent and almost unexceptionable Laws, which shall be transmitted as soon as they can be copyed, with such observations upon each of them, as I apprehend necessary to trouble Your Lordships with.

My constant attendance on the Assembly has made it hitherto Impossible for me to lay before Your Lordships such a state of this Province as I intend soon

to

to do, which I shall endeavour shall be both full and exact, and such as I can be answerable for the truth of. In the mean time I shall mention some of the principal heads to Your Lordships with some observations, and if there are any other things of which you may want to be informed, upon your signifying you pleasure you shall receive what satisfaction I can possibly give you.

In the first place, I shall give you an exact Account of the Numbers of the whole Inhabitants, Men Women & Children in general, in which both the riches and strength of this and all Countrys consist, and I shall endeavour to distinguish such as are fit to carry arms, and (as nearly as I can) I shall class them under the several Heads of Planters, Merchants, Mariners, Mechanicks, subdividing those again into Smiths, Carpenters, Bricklayers, Hatters, Taylors Shoemakers, Tanners &c by which you will be able to Judge whether we supply any other Colonys, how farr we furnish ourselves or if our chief dependance for cloathing and many of the other necessarys of life, be not entirely upon our Mother Country.

I have given directions to the Ministers of every denomination in this Province to keep exact

Registers

Registers of all births and burials within their respect-ive Parishes and Bounds but as they have never at-tempted anything of this nature hitherto, it will be some time before they can be put in a right method and much longer before any good effect can be produced by such observations, however I have established it.

I shall likewise send an exact accompt of the Number of our Negroes, distinguishing such as are natives of this Country whose fidelity may on all occasions be more relyed on than the Guinea Slaves

The extent of our Territory is already known to Your Lordships, by His Majesty's Charter, but I shall endeavour to point out how far our settlements extend and as I have been at a great deal of pains in procuring actual surveys of some of the principal parts of this Province, I shall send these Mapps over to you, If a little money could be procured from home to perfect so necessary a Service, I am persuaded it would be well laid out, but this I entirely submit to Your Lordship, I think two or three hundred Pounds would go a great way towards it, as we have already several particular parts very acurately surveyed. I should think I did a great service, if under this

head

head; I could give Your Lordships any general Idea what parts were profitable Lands and what not, or what parts of occupied or taken up Lands were cultivated and what not, but this were work enough for a great many months for one who had no other business. But I shall send an account as exactly as can be gathered from the books of Council, from the Secretary's Office, and from the Surveyor Generals Office, of the many thousand, I may say hundred thousand Acres of Land, that have been granted directly contrary to His Majestys Instructions, and so as not only to frustrate in some measure, but entirely to defeat His Gracious Intentions about the Townships, to the ruin of numbers of poor protestants, who confiding in these Instructions have transported themselves hither for what could be more cruel than that after those people had left their native Country, some of them in very distant parts in Germany, and greatly diminished their little Fortunes by long and expensive land journeys, through the dominions of different Princes and States, and at last obliged to pay about six Pound sterling for the passage of every individual person from Holland hither, after all this I say these poor people have had the mortification to find all the

the good Land in every Township granted away to such as had no manner of right, and a little miserable pine barren reserved for them. This my Lords I learn not only from the complaints of the people themselves but I see it in numberless instances by the Records of the Offices; Old Residenters in the Province who had more Land than they knew how to manage, have without any colour of right obtained grants in this or that particular Township, others who were greater favourites have had Grants of some thousand Acres To be taken up in any part of any of the new Townships, and in this shape I think were the Grants made five or six years ago for the Six Thousand Acres of Land which Lieut. Govr. Broughton by the Advice of the Council gave to each of the Members of the Council who being twelve in number there were seventy two thousand Acres granted at once with a freedom from Quit Rent for ten years and probably not in the worst parts of the Townships. The Council not to be outdone in Generosity by the Govr. voted him a much at another meeting.

My Lords I had written so far about three weeks ago but ever since we have been in a good deal of hurry occasioned by some declarations sent

me

me from the Commanding Officer in Georgia I ought to observe to your Lordship that we have had such flying reports sent us from thence and paragraphs of letters from some people in Providence to their Correspondents here mentioning an intended invasion but when I came to trace these Reports I constantly found them false and groundless however as these declarations were sent me by Captain Horton the Commanding Officer and at the same time as they were accompanied with a letter in which he says that a very powerful invasion is intended, I immediately sent him some Cannon and Shott fifteen hundred weight of Powder, and a thousand weight of Musket Ball, and what other stores he had occasion for I likewise began to make some necessary Works about Charles Town at my own expence knowing that that would be the most likely way to prevail with the assembly to agree to the expence that is necessary to put this Town in a posture of defence now upon the breaking out of a French War and it has had the desired effect for having called them together and made them a Speech a Copy of which I herewith send to Your Lordships They came to resolutions to fortify this Town in the best

best manner and have agreed to a great expence for the rest of the Province I send your Lordships a Copy of my Letter* to the Secr^y of State and also Copys of other papers mentioned in that letter and am with great respect

My Lord

Your Lordships

Most obedient and

Most humble Servant

James Glen.

* not with ye other papers.

Rec^d 30th Aug.
Read 11th Oct. } 1744.

B. P. R. O. A & W. I. Vol. 19. p. 227

South Carolina July 14th 1744

My Lord,

When I arrived in this Province I found one Beswicke in Prison, who had been committed for high Treason in trading with the Spaniards at Augustine; as he had been many months confined I desired that he might be brought to his Tryal but I was told by the Chief Justice that the crime having been committed out of the jurisdiction of this province was not cognizable here, but that he must be sent to Britain.

I am expressly discharged by His Majesty's Instructions from sending any person thither but upon sufficient proof of his Crime, and that proof transmitted with him and in the present case there is no living evidence whatsoever. —

However I have sent your Grace a Copy of his Commitment and of several depositions made before my arrival.

The Chief Justice made him Enter into a recognizance with four sufficient Security's personally to appear before the Justices of the Kings Bench on the twenty third of October next at Westminster a

Copy

Copy of which attested by James Wedderburn Clerk of the Crown, and under the Great Seal of this Province I herewith send your Grace.

There is one Moore sent in the same Vessel, said to have been born in Ireland, and taken in the Service of the King of Spain, he has been about a year in Prison and what proof is against him I have sent your Grace - he was extreamly servicable to many of His Majesty's Subjects at the Havanna who had the misfortune to be Prisoners there.

This day I had the honour of Your Grace's letter signifying His Majesty's pleasure that his Declaration of Warr against the French King should be published in this Province and I have given order that one of our Regiments of Foot should be under arms at the Solemnity and likewise that our Regiment of Horse should attend the same.

I expect some of the Chief Warriors and head Men of the Creek Indians tonight and I make no doubt but the Ceremony will have a good effect upon their Behaviour, and with the presents that the Assembly have voted for them will determine them to be aiding and assisting to this Province in an attempt which we are im-mediately to make upon the Halbama Fort in which attempt there is great reason to expect success

of

of which and of all other things relating to this Country I shall not fail to give your Grace the most particular notice. I am with the greatest respect —

My Lord

Your Grace's
most obedient and
most humble Servant.

Endorsed "not signed but from Govr Glen".

B.P.R.O. So Carolina B.T. Vol. 13. H 47

(19th July 1744.)

At the Court at Kensington.
the 19th day of July 1744
Present.
The Kings most Excellent Majesty
in Council

Upon reading at the Board a Report from the Rt Honble the Lords of the Committee of Council for Plantation affairs, dated the 19th of last month in the Words following - Vizt

Your Majesty having been pleased by Your Order in Council of the 9th of May last to referr unto this Committee the humble Petition of several Merchants and others trading to and Interested in Your Majesty's Province of South Carolina Setting forth, That the Petitioners some time since made application for the establishing a proper Force in that Province under the Direction of the Govr and Council there, by which means the Petrs might be rendered safe in their Trade and Propertys, and enabled to resist the frequent attempts of their Foreign and Domestick Enemys. That the Petitioners understand Your Majestys Gracious approbation was obtained for their relief but as those

Intentions

Intentions have not been put in Execution The Petitioners humbly represent that the Province of South Carolina may be entirely deserted by its Inhabitants, and thereby the Petitioners Estates and Effects in that Province be lost to them, especially in case of a Breach with France, this Province lying open to the attacks of the French and their Indians, who without the assistance of the Spaniards may make an easy Conquest of the Province in the present Defenceless state. That the Forces now in Georgia, were they Compleat added to the very few Inhabitants remaining there can afford no assistance to South Carolina, but as those Forces are now very few, and all the Field Officers with many of the Subalterns absent, The Petitioners apprehend them insufficient to Defend themselves in case of an attack from the Spaniards, and therefore humbly praying that Your Majesty's gracious Intention for the preservation of South Carolina may be carried into Execution And Your Majesty having been likewise pleased by Your Order in Council of the same Date to referr unto this Committee a Letter from Brigadier General Oglethorp to His Grace the Duke of Newcastle containing a proposal for Adding Six Companys to his Regiment, which

which he Conceived to be the most Effectual means of enabling him to defend not only the Province of Georgia but of Carolina - The Lords of the Committee in Obedience to Your Majestys said Orders of Reference, have taken the said Petition of the Merchants as also General Oglethorp's Proposal into consideration and have had likewise before them a Representa-tion and Petition of the Lieut. Governor, Council and assembly of South Carolina, proposing that a Proper Force may be established there, and put under the Command of the Governor for the time being, To-gether with a Report made thereupon to the late Lords Justices by His Grace the Duke of Montague Master General of the Ordnance, the Earl of Winchelsea first Commissioner of the Admiralty and by Marshall Wade, and their Lordships have been hereupon Attended by several Merchants and Planters of Carolina as also by General Oglethorp, and have heard all that they had to offer in support of their respective proposals and Do upon the whole matter humbly Report to your Majesty that they agree in Opinion with what is proposed by the aforementioned Report of the Duke of Montagu, Earl of Winchelsea and Marshall Wade, Vizt. that it may be for your Majestys service

That

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That three Independant Companys should be forthwith raised for the Defence of South Carolina; to be Garrisoned Quartered and Employed in such manner as your Majesty's Governor of the said Province for the time being shall think necessary for that end; That each of the said three Companys may consist of one Captain, two Lieutenants, one Ensign four Serjeants, four Corporals two Drummers and one hundred Private men, That to avoid the charge of Transportation the said Companys may be levied in your Majestys Colonys on the Continent of North America.

And the Committee beg leave further to Report to your Majesty, That as the Merchants and Planters humbly prayed That the said Forces might be put under the Direction not only of the Governor but also of the Council of that Province for the time being Their Lordships conceive that it may be adviseable for Your Majesty to Comply with their Request.—

His Majesty this day took the said Report into His Royal Consideration and was pleased with the advice of his Privy Council to approve thereof and to order as it is hereby Ordered, that three Independent Companys be forthwith raised for the Defence of South

South Carolina, to be Garrisoned, Quartered and Employed in Such manner as His Majesty's Gov.r and Council of the said Province for the time being shall think necessary for that end - That each of the said three Companys do consist of One Captain two Lieutenants, one Ensign, four Serjeants, four Corporals, two Drummers and one hundred Private men — That to avoid the Charge of Transportation the said Companys be levied in His Majesty's Colonys on the Continent of North America — And Sir William Yonge His Majesty's Secretary at War, is to receive His Majestys Commands for carrying the same into Execution accordingly. —

A true copy
Ja. Vernon

Rec.d Aug.t 28th }
Read Nov. 21st } 1744

B. P. R. O. So Carolina B. T. Vol 13. H. 48

(22 Sept 1744)

My Lords

As it is a twelve month since I left Great Britain and as I have never been hon^d with your Lordships Commands since nor had any Notice that any of the many letters which I have been obliged to trouble you with have come to yr Lordship's hands I am under great anxiety, and uneasiness.

It is however some Consolation to me, to have done my Duty, and I think I may without vanity say. That the People are sensible of it.

I send by this conveyance a duplicate of a Letter which I wrote by Mr Abercromby, Our attorney General.

I wrote afterwards by one Berwicke since which time nothing remarkable has happened here Your Lordships will observe that the Papers which are mentioned in those letters, will take some considerable time to digest those letters before they can be offered with any sort of correctness.— And I must entreat your forgiveness,— If the letter wch I have now the hon^r to write yor Lordships should appear Superficial; I having had but two or three

days

days notice to prepare all my dispatches in, and most of that time, has been taken up, in the necessary Affairs of the Province; I took notice in One of my former Letters, that upon my Arrival here, I found that no Journals of the Council or the Assembly had been transmitted to Yor. Lordships or to the Secretary of State, for three years, altho' the Clerks had been constantly paid by the Publick, for doeing it, I have kept them pretty close at work since. And I now send to Your Lordships and to the Secrety of State, the said Journals, till the time of my arrival That of the Assembly is somewhat later. For the future they shall be regularly sent.

I likewise send Copys of all the Laws passed since my arrival, but it was not possible by this ship to send my observations upon them, wch. however I shall not fail doeing by the first vessel.

The alarm of an invasion which I wrote your Lordship of as Intended against Georgia, the Bahama Islands, or this Province was entirely without foundation, as I was sure of from ye beginning tho' I omitted nothing, as if it had been real — I have been at great pains, so have Intelligence both from the Havanna and St Augustine, and I

am

am convinced there has been no such thing ever Intended.

An affair hapned lately in this Province which had a very disagreable aspect in the be-gining, but I am hopefull it may be attended with good Consequences, some of the Notchees and Waterees two Nations as they are called, or tribes of Indians who live in our Settlements, and are in a manner Incorporated with us, sent a solemn Invitation to the Cattabaws a much more powerful nation, than both the others united, to send some of their people, to a merrymaking, and to Cement the friendship that subsisted betwixt them, accordingly some of their Chief men, and others, met them at the house of one Patteraw Irishman, who contrary to his duty, and the Laws of this Province furnished with Rum and Punch. The Notchees out of a most villanous design drunk little, but supplied the Catawbas plentifully with it, and that they might when they were overcome with drink, and sleep, set upon them, + they murdered seven of them and next day Scalped them, and cut out their tongues, and carried with them: When the Cattawbas who escaped got home and reported what

what had happened, the whole Nation consisting of several hundreds, were up in arms, but by good fortune I sent a very sensible person, Express to them, with assurances of redress, letting them know that I would not permit them to take revenge at their own hands, but desiring them to submit to the Determination of the Government here, to which at length the whole Nation acquiesced, and this morning One and twenty of their Head men, with those who made their escape, came to my house. I had the King of the Notchees with his Family some days with me, and convinced him of the Cruelty and Cowardlyness of the Action, and of the necessity of punishing some of the guilty both to prevent their perpetrating of such Crimes, any more and by the example to deter others, and he seemed perfectly Satisfied.

This I am hopeful will have a wonderfull good Effect upon all our neighbouring Indians, who whatever is said of them and of their native Simplicity and honesty, are a savage, cruel, perfidious, revengefull sett of Men.—

I beg leave to Trouble your Lordships, with a few more general Observations.—

This

This has been reckoned the hottest Summer ever known in these parts, especially since July, but tho' this and the last months be reckoned the sickly and mortal months. We are at present ex-treamly healthy, and have been so for these three years past

The Vessel that carrys these Letters are a great proof of it, Capt Newnham in His Majesty's Sloop Spy was sent hither from Jamaica her Compliment 100 Men most of whom were in a languishing way, but soon after their arrival they all recovered and tho' he has continued two years upon this Station, and has had always his Compliment full; he has buryed but one single Man who died of drinking

As it is a healthy it is likewise a plentiful Country, this year by all acco^ts. We shall Export above 140,000 Barr^ls of rice each Barrel containing betwixt 5 and 600 W^t. and many Planters tell me their second Crop from the said field is now full eared, not two Sowings but young shoots from the same Stool (as they term it) - But as we have had cold weather for some days past, I am uncertain whether that may not injure it.

As Rice for some years has born a small

price

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price, and many of our Planters are trying some other produce, some few have attempted Pot ash, but that has not succeeded, whether from want of skill in the Manufactort or that our wood does not abound with those Salts that are in the timber of other Countrys, I know not, Others have raised Silk, but I am afraid the high price of Labour will prevent our Success in this Article likewise, tho' many are attempting it. A pretty large quantity of Indigo has been made this Year, as good as any Country affords, the Plant grows everywhere with us in abundance. There are several small vessels in our harbour at present taking in Loadings for Philadelphia, New York and Boston of Oranges of our own groth, which are reckoned the finest in the world. - And this is our first Experiment that way. Small sower Punch is the Common drink of this Country, which prevents our sending a far greater quantity.

A fine vessel from this Port with a Cargo worth Eight or £10,000 Sterling has been carried into St Augustine within these few weeks, but we have sustained a much greater loss, by having a Ship carrd to the Havana abot a

fortnight

fortnight ago, She was bound for this port, and taken 15 Leagues due East of Our Bar. She had 270 odd Swiss, and other Germans on board when taken, many of which were people of Condition, and had brought a great deal of household furniture, and all their Implements of Husbandry: The Mate of the Vessel who was sent in here in another small Vessel which the Spaniards had taken, says that they were the richest sett of people that ever went to America; many of them having two and 3000 pistoles a peice. But as those People were never ashore on any part of the British Dominions, nor can be reckoned British Subjects neither Sub Protectione and far less Sub Dictione aut Imperio Regis, I am hopefull that the Govr. of the Havana can neither detain their persons, as prisoners, nor seize upon their property. They were not taken offring to trade within any of their Colonys, or in their Seas, And there was no Arms or Ammunition of any kind on board, those having been taken from them by six French ships, wch they met before and who took nothing else, so it may be called Navigatio inermis, et innoctia; I intend to send a Flag of

of Truce to the Havana to try to ransome the Ship, and as they are all Protestants I make no doubt but that the Spaniards will be glad to get rid of them.— If any expences should be incurred upon this Account & the Assembly should not care to reimburse me, I hope your Lordships will represent it to the Lords of the Treasury, since the whole Expence cannot exceed a few hundred pounds. I am with the greatest respect.—

My Lords

Charles Town
Septemb.r 22.d 1744

Yo.r Lordships
most Obed.t humble serv.t
James Glen

Rec.d Nov 12.th
Read D.o 21.st } 1744.

B. P. R. O. So Carolina B. T. Vol. 13. H. 44

Whitehall Oct 26th 1744

My Lords

I send your Lordships herewith, by His Majesty's Order, a printed Copy of the Grant and Release from His Majesty, under the Great Seal of this Kingdom of one Eighth part of Carolina to my Lord Carteret (now Earl of Granville) and also of the surrender of seven eighth parts of Carolina from my Lord Granville to His Majesty: which His Majesty has commanded me to transmit to your Lordships for your Information and Direction

I am
My Lords
your Lordship's
most obedient
humble Servant
Holles Newcastle

Board of Trade

Recd Nov 6th } 1744
Read Do 7th }

B. P. R. O. So Carolina B T Vol 13. H. 45.

Grant and Release
of
one eighth part
of
Carolina
from
His Majesty
to
Lord Carteret

Recd Nov ye 6th 1744
with the D. of Newcastles Letter
dated the 26th of October 1744.

(Printed with plan, 22 pages.)

Surrender

B. P. R. O. So Carolina B. T. Vol. 13. H. 45 (continued)

Surrender
of
Seven Eighth parts
of
Carolina &c
from
Lord Carteret
to
His Majesty.

(Printed 22 pages.)

N.B. / I think that although printed, these should be copied as it is not probable you possess copies in South Carolina. (Sd) W. N. S.

B. P. R. O. So. Carolina B. T. Vol 27 p. 87

(21st Dec 1744).

To Francis Fane Esqr.

Sir,

I am commanded by my Lords Commrs. for Trade and Plantations to send you the Seventeen inclosed Acts passed in the Province of South Carolina in May 1744, and to desire your Opinion in Point of Law thereupon as soon as conveniently may be. I am

Sir

your most humble Servt.

Thos. Hill

An Act for the further improvement and encouraging the Produce of silk and other Manufactures in this Province & to repeal an Act of the General Assembly intituled An Act to encourage the making of Hemp passed the 23rd. February 1723, & for repealing such part of an Act of the General Assembly intituled An Act for the better regulating the Port and Harbour of Charles Town & the shipping frequenting the same &ca.

An Act impowering Commrs. to finish and continue certain Roads already laid out for the Con-

-veniency

-veniency of the Inhabitants residing between Salketcher and Pocatago Rivers.

An Act for raising & granting to His Majesty the sum of £1205. 12. 2¾. and for applying the sum of £8056. 4. 3. being the surplus of several Taxes and the Balance of several Funds in the Publick Treasury of this Province, for defraying the Charges of the Govern-ment for one Year commencing the 25th March 1743 inclusive & ending the 25th March 1744 exclusive.

An act to remedy some defects in His Majesty's Rent Roll & to enable the Officers of the Revenue to make a more perfect Roll of His Majesty's Quit Rents in this Province. And to discharge from the Payment of future Quit rents all such Persons as upon trans-ferring their Property shall enter Memorials of such transfer in the Auditors Office, pay the Quit rents due & comply with the other Directions of this Act.

An Act for the better governing and regulat-ing White servants. And to repeal a former Act Entituled An Act for the better governing and regulating White servants.

An Act to appoint Persons to serve in Jurys pursuant to the Directions of an Act of the General Assembly passed the 20th August 1731, Entituled An Act

Act confirming and establishing the Antient and approved method of drawing Jurys by Ballot in this Province and for the better Administration of Justice in Criminal Causes and for appointing of special Courts for the Tryal of the Causes of Transient Persons declaring the Power of the Provost Marshall for allowing the Proof of Deeds beyond the seas as Evidence and for repealing the several Acts of the General Assembly therein mentioned.

An Act for the more effectual Relief of Insolvent Debtors, and for that purpose putting in force and effectually carrying into Execution in this Province such part of an Act made in the Parliament of Great Britain in the second Year of his present Majesty's Reign Intituled An Act for the Relief of Debtors with Respect to the Imprisonment of their Persons as is therein after mentioned.

An Act for the better securing the Payment and more easy recovery of Debts due from any Person or Persons inhabiting, residing or being beyond the Seas or elsewhere without the Limits of this Province by attaching the Moneys, Goods. Chattles, Debts and Books of Accounts of such Person or Persons, if any he, she or they shall have

within

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within this Province. And to empower and enable a Feme Covert that is a sole Trader to sue for and Recover such Debts as shall be contracted with her as a sole Trader, and to subject such Feme Covert to be arrested and sued for any Debt contracted by her as a Sole Trader.

An Act for allowing mutual Debts to be discounted, and explaining the sixth Paragraph of an Act intituled An Act for making more effectual, Wills and Testaments and for making valid all former Wills in this Province according to the Tenor of the same, & for putting in force several usefull Matters therein comprised.

An Act for allowing the Plaintiff in Ejectment to bring more than one action for the recovery of any Lands or Tenements claimed within this Province and for repealing the fourth Paragraph of an Act Entituled An Act settling the Titles of the Inhabitants of this Province to their Possessions in their Estates within the same, and for limitation of Actions & for avoiding Suits in Law.

An Act for Regulating the making of Dams or Banks for reserving Water where the same may effect the Propertys of other Persons.

An

An Act for confirming and establishing a Publick Street for the North Bounds of Charles Town to the North End of the Bay of the said Town and for building a Bridge over the Marsh &c.

An Act for building a Bridge over the North Branch of Black River opposite to the Landing of John Wallis Esqr. deceased in the Parish of Prince George Winyaw, and for building a Bridge between Ladys Island & St. Helens Island in Granville County &c.

An Act declaring Dorchester Bridge, Beams Bridge, Eagles Bridge, Bakers Bridge and Herrings Bridge in the Parish of St. George Dorchester to be Parish Bridges, and appointing the manner in which the same shall hereafter be kept in Repair, and for reviving and continuing an Act of the General Assembly of this Province Entituled An Additional & Explanatory Act to an Act Entituled An Act to impower the several Commissrs. of the High Roads Private Paths, Bridges, Creeks, Causeways & Clearing of Water passages &c. &c.

An Act to encourage the Destroying Beasts of Prey

An Act for the further Preventing the spreading

spreading of Contagious or Malignant Distempers in this Province.

An Act for the raising & levying the Charges of conveying Malefactors and Offenders to Goal and for defraying the charges of Criminal Prosecutions. And for repealing the last Paragraph of an Act of General Assembly of this Province Entituled An Act for Authorizing the General Court in Charles City and Port to exercise several Powers and Privileges allowed to the Country and Precinct &c=